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1897
/Col

File No. 496.
1897.

Collection No

Impore Residency

A

Pros. Serial Nos. 1 – 35

Subject.

Municipal bya-laws relating to (1) Demand & Collection (2) Taking of a census, (3) Lodging Houses, (4) Camping Grounds, (5) Injury or disfigurement of Public property or buildings adjoining public streets & (6) Preservation of Water Supply

Manner of giving publicity to bya-laws or amendments thereto.

Previous References.

Later References.

7 27/1898

F. 1176/35.

S. 97. (Blue).

DCFP—1(2S&P—(G-276)—9-7-29—50,000.

RESIDENT'S OFFICE.

Office Note.

FILE No. 496 1897.

With letter N. 4699 Dated the 18: December 1897, the President, Municipal Commissioner, Colaba Station, forwards for the Resident's confirmation a notification in the Gazette of India, certain bye-laws under section 137 of the Bombay Municipal Law, 1887.

2. Drafts of these bye-laws were already published as required by Sec: 180(1) of the Municipal Law, but it appears that no objections or suggestions were received. They were then considered at a special meeting held on the 16: Dec: 1897 & were passed. Under Sec: 139(1), they are to be confirmed by the Resident & published for such time & in such manner as he might prescribe in this behalf.

3 Bye-law under Sec 137 1(i). A scale of fees is levied for notices of demand & permission is made for re-inspection when sufficient cause is shown for non-payment of the tax or other due to the municipality. It has not been stated what

The President distinctly says so. KSE

what fee is now received on these demand notices. A scale of fees is also instituted for distraints under Sec: 186 (c). The present scale is not given, but the proposed scale seems somewhat excessive. For the distraint for sum below 5 rupees, the fee is 8 annas which is to be increased to 12 annas should a person be kept in charge of the property distrained. The bye-laws in full appear to have published under the law but no criticisms were made by the public, & may be explained. Perhaps it might be as well to ascertain first the scales of fees levied in the Madras City Municipality — we also find what such fees for distraint are charged now. Perhaps for 5 such bye-laws under Section 137. 1 (c) - Census.

Rule proposed in Leeds is, I am told, lower in some respects than the Leeds in force, which is based on the Madras Leeds

H/26/12

4. Bye-laws under Section 137. 1 (c) - Census.

Rules 5 & 8 refer not only to a fine but to the detention in custody of persons disobeying the rules until they comply with these rules. Sec: 138 (1) refers to fine for infringement of bye-law, while clause (2) thereof states that in lieu of, or in addition to such fine, the magistrate may require the offender to remedy the mischief in so far as it lies within his power. Perhaps the clause about "custody" has been added on the strength of Sec 138 (2).

2

(Continuation of Note or Precis).

It is submitted that nothing need be said about the "custody" of the offender, leaving it to the magistrate to take any action he might deem proper under Sec: 138(2) of the Municipal Law.

It will be useful to obtain for purposes of reference the bye-laws in force on this subject in the City Municipality

5. Bye-laws under Sec: 137 (1) d. Lodginghouses.

The bye-laws seems to be unobjectionable. Para 1 quoted in rule 6 thereof should be altered to para 2, & maybe continued.

6. Bye-laws under Sec: 137(e)(i) Camping grounds.

This seems to be unobjectionable, but the penalty proposed (Rs 10) appears to be small.

7. Bye-laws under Sec: 137 (1)(e)(ii)(iii) Injury or defacement of public property etc.

This bye-laws also seems to be unobjectionable. It seems however that the Presidents permission is necessary before advertising posters are

& are put up on the walls of buildings. It would seem advisable to ascertain the rule on this subject observed by the Madras City Municipality.

8. Bye-law under Sec: 137 (1) (e) (vi). Preservation of Water supply.

This bye-law may, if approved, be comprised as it appears to be unobjectionable. It may be advantageous to know what the rules in force in the Madras City.

9. Section 180 (3) of the Municipal Law requires that every rule or bye-law shall be notified in English and in such other language or languages as the Resident may direct. In para 20 of our letter to the President N: 3098 of 28: July 1897, it was asked whether the Commissioner thought it necessary to have the bye-law translated into any vernacular & published in any local paper. At the Special meeting of the 16: Dec., the Comm^rs were about equally

Opinion put up at Bottom of file.

(Continuation of Note or Precis).

equally divided as to the necessity of publishing in Tamil, Kanarese & Hindustani as well as in English. Personally Mr. Slight is of opinion that very little advantage will be gained by vernacular publication, & thinks that ample publicity will be given by publishing bye-laws in English only in the "Daily Post" & by placards in public places. The section quoted in the beginning of this para appears to require that bye-laws should be notified in English & in one vernacular at least. If such be the case, it is necessary to select one vernacular at least for this purpose, the vernacular publication appearing in the Gazette of India. It is not likely that Tamil & Kanarese can be published in the Gazette of India, but Hindustani will

Lost.

I don't agree.
Hos

I don't think Gazette of India Part II insert notifns re. notices in vernacular
Hos

will conveniently find space in the Gazette of India. It is however, a question whether it is necessary or worth while to have the bye-laws published in Hindustani in the Gazette of India. Perhaps it maybe safe to ~~amend~~ leave Sec: 180(3) amended by the insertion of the words " or in such other language or languages as the Resident may direct".

Quite so. The Hindustani speaking people of the C & M Station do not see the Gazette Often.
KOS.

Seems unnecessary.
KOS.

Submitted for favour of orders.

AS.
23-12-97 A/26/12.

10. Para 3 supra. A proviso was added to this draft Bye Law after publication but the public are not likely to criticise the addition which is in their favour. Section 180(2) does not apply here as the Commission were not "considering any objection or suggestion" (none having been received). We need not raise any objection to the addition made after publication. I do not think the scale of fees is excessive (even as regards distraints). It must be remembered (Sec 186) that (1) a bill is served (2) if this be not paid within 7 days a notice is served and (3) if the bill still remains unpaid for another 7 days distraint may follow. Throughout the person from whom the money

I agree.

I am doubtful

(Continuation of Note or Precis).

is due is at liberty to show why he has not paid & if he can satisfy the President, fees are remitted. I should have thought the office could have ascertained from our records the fees prescribed under the repealed Regulations. If Resident thinks necessary they can be ascertained. I do not think it is necessary to enquire about the fees in Madras.

11. Para 4 supra. I have altered one word in line 2 of rule 1 of this draft bye-law viz "Commissioner" to "Commission". The office might have sent up the bye Law relating to Census under the old Regulations or the rules under which the Census of '91 was taken so that we might compare. I agree that the insertion in rules 5 and 8 of the sentence relating to detention in custody appear ultra vires & I would suggest to the President that they be omitted.

12. Para 5 supra. Please see rule 5 of this draft bye-law. It seems to be a kind of repetition of Sections 95 & 96. But perhaps this is no harm. In line 1 of rule 6 for "para 1" read "para 2" and in line 2 thereof for "para 5" read "either para 1 or para 5" for if the order to abate overcrowding is disobeyed, the owner of the lodging house should suffer.

Yes please see note on Bye Law

This bye law seems to require much consideration. May we ask the Resident's office at Bangalore help in the matter. The Census Notification of 1891 should be fetched - see remarks in bye law.

I don't see the necessity for this bye law in view of sections 95 & 96 - but a more detailed statement of the contemplated procedure would be useful.

13. Para 6 supra. This draft bye-law seems unobjectionable. The penalty (Rs 10/-) was thought sufficient by the Commission altho' they had power to make it "not exceeding Rs 50/-." There are few, if any, camping grounds in the Station used as such.

See remark on bye-law

14. Para 7 supra. As regards this draft bye law would not "Disfigurement" be a better word in the heading than "Defacement"? You can disfigure without defacing. Section 137 (1) (e)(ii) speaks of "disfigurement" ——

Yes

Rule 1 seems all right - For "occupier & owner" see Sections 140 and 141.

As regards rule 2 should not the words "or other place" in line 1 be omitted - Section 137 (1)(e)(ii) speaks of buildings & walls only.

Yes I think so

Should not last sentence of rule 2 (re penalty) come in as rule 3? Of course the "bye-law" consists of 2 rules as disobedience of a notice under rule 1 will equally with a breach of rule 2 render the offender liable to punishment laid down but it seems preferable to prescribe that punishment in a separate rule 3 so as to make it clearer. I would not have posters without Presh's permission.

The present rule 3 might be numbered 4 if my proposal above is accepted.

I agree

15. Para 8 supra. This draft bye law seems all right — In

(Continuation of Note or Precis).

See remarks on bye laws

this connection see Section 101. I have altered one or two printer's errors in the draft bye-laws.

16. Para 9 supra. As I read Section 180 (3) every bye law (save those under sections 25 or 32) has to be notified in English i.e. published in the local official Gazette [vide Section (3)(11)] and if the Resident so directs, it has to be notified in one or more vernaculars. The Resident has not so directed, therefore no notific: in vernacular is necessary.

I agree

17. The Resident has to consider these bye-laws (Sections 139 and 180). If he modifies them, he has to determine whether the draft, as so modified, need be republished — If he confirms them, then a formal notif: must be prepared for public: in Part II Gazette of India. This notif: has to be prepared & signed by Mr: Slight & sent to Publisher Gazette India thro' us. As few people in Bangalore see the Gazette, I agree with Mr: Slight that every bye-law when formally passed (& confirmed or approved by Resident if necessary under the law) may be published in the Daily Post & posted up in public places as is done in cases of Municipal notices.

To do ?

18. Reverting to Section 180 (2) I don't think any of the suggestions I've offered will necessitate a republication of the draft. KSE 6/1.

19. Please let the proposed Regn. go through these proposals - remarks made - & substitute fresh drafts of such as are necessary - Somen the drafting is slipshod -

OK

6/1

6/1

Demand and Collection

20. According to the draft bye-laws under this head the maximum fee chargeable ~~for~~ a notice of demand is 1 rupee. The maximum fee chargeable under sec. 83 of the repealed Regns was also the same. The Bombay City Municipality Act (sec. 202(2)) ~~and the~~ and the Calcutta Act (sec. 142) also impose the same fee, while the ~~Madras~~ maximum fee under the Madras Act (sec. 199) is only 8 annas. Under the Bengal Act (sec. 120) no fee is charged for notices of demand. For the words "be given" in the proviso to the bye-law under the above head the words "is shown" may be substituted.

see margin of 6.1.
OK
4/2

21. The scale of fees chargeable for distraints under the draft bye-laws is exactly the same as that laid down in the repealed Regns (Please see schedule G page 32 of the Regns). A comparative statement

of

(Continuation of Note or Precis).

of the fees leviable under the Municipal Acts in other parts of India is put up for information, from which it will be seen that the rates proposed are the same as those levied under the Calcutta, Bengal and Madras District Municipalities Acts, the rates under the Bombay and Madras City Municipalities Acts being only half as much. If the rates now proposed and which were being charged under the repealed Regns are considered too high, the Bombay and Madras rates which are only half as much may be adopted

Please say that the Schedule of fees & the charges for private seems to contemplate an invariable charge & double the same scale fixed for the Madras Municipality - but the latter exceptions of the Schedule for towns are on Paper identical the Schedule fixed for Madras Out Municipalities but under - however a maximum but under - see Sec 108 - Madras Act charge IV 1884 - Commissioners rates than are proposed seems the too high & may that be reconsidered.

Taking of a Census

22- The repealed Regns (Secs 217-223), the Madras City Municipality Act (Secs 405-412), the Calcutta Act (Secs 192-201), the Bombay Act (Secs 454-460), all provide for the taking of a Census and the provisions therein on this subject are all the same. The census taken under the Municipal Acts is probably intended for the information of the municipalities and for municipal purposes, and is different from a general census taken under the orders of the Govt of India. The latter necessitates

Govts a Census separate whether the Census purposes Whether a census before 1901 if not the Bye laws seems that necessary - If however it is considered desirable to have such a bye law there can be provided - Necessitates alteration -

1.2.3.14. Verbal changes have been made.

5. Add further detention in certain cases Absentia vires as to Sec 138(1) of the Municipal Laws 1897 - That Sec only allows a certain punishment for breach of a bye law, and this cannot be varied or exceeded.

the passing of a special enactment under which local Government and administrations issue rules and instructions for carrying out the purposes of the enactment. The last Census Act, XVII of 1890, was specially extended to the C. & M. Station of Bangalore before the census of 1891 was taken. Sec 13 of that Act enacted that "notwithstanding anything in any enactment or rule with respect to the mode in which a census is to be taken in any municipality, the municipal authority may, at the time appointed for the taking of the census of British India during the year 1891, cause the census of the municipality to be taken wholly or in part by any method authorized by this Act." Though there was such a provision in the Act the general census of 1891 of the C & M. Stn. of Bangalore was taken wholly by the method authorized by the Act as extended to the Station. As a general census is taken throughout India once in a decade and as elaborate rules are issued for the purpose at the time, the provisions in Municipal Acts with regard to census-taking are not of practical importance and

there

N°9. It seems desirable to omit the first 9 words as Barracks & other property in the Cantonments is probably by the Municipality & should be excluded from the jurisdiction of the Commissioner

* please at bottom of file 437 of '90

N°12. Do the Commrs consider that the census can best be taken in the day time. The chances of arriving at a correct enumeration of the population seem to be greater if the Census be taken at night

See file 437 of '90

(Continuation of Note or Precis).

there is no immediate necessity for the passing of the bye-law on this subject, unless the Commission wants to take a census for its information

23. The draft bye-law follows closely the provisions and wording of secs 405-412 of the Madras Act with such verbal modifications as are necessary to adapt them to the circumstances of the Station. The sections of the Act have been broken into rules in the bye-law. The provisions of secs 217-223 of the repealed Regn were also the same as those of the draft bye-law. But in copying the Madras Act the drafters of the bye-law in Y^n have committed the mistake of overlooking the provisions of the Penal Law of 1897. The penal clauses as to detention in custody in the last parts of rules 5 & 8 are ultra vires; for the only penalty that may be imposed for breach of a bye-law is that prescribed by sec. 138 of the Penal Law '97. So also rule 11 is ultra vires and a fine not exceeding Rs 50/ should be substituted for the breach contemplated by that rule.

With regard to Resident's remarks on rule 12 it is submitted that apparently the cases contemplated by the various Cantt. Acts above mentioned is intended to be taken during the day time. The same wording is to be found in all those Acts and in the repealed Regns.

24. The words "every military Officer in command of military area" in rule 9 have been copied from the Madras Act. Similar ~~no~~ provision is to be found in the repealed Regns as also in the other Cantt. Acts above quoted. If military lines have been excluded or are intended to be excluded from the operation of the Bangalore Cantt. Law of '97 the said words should be omitted. The Commr. cannot frame a bye-law so as to affect persons and places excluded from the operation of the Cantt. Law. As the files relating to the Cantt. Law are said to be in camp it is not possible to say what has been done or is intended to be done with reference to military lines and military persons' exemption from the provisions of the law.

With

(Continuation of Note or Precis).

25. With regard to the language of the bye-laws it is submitted that it is a copy of the Madras Act

Lodging houses

26. The 1st rule under this bye-law refers to overcrowding in lodging houses and buildings occupied by more than one family. The provision on "overcrowding" is to be found in the following Acts:- Bombay Act (sec. 379), Calcutta Act (sec. 320), Madras Act (sec. 324) and the repealed Regn (sec. 134). There is no such provision in the Dmnl Law Ajj. It is therefore desirable that the bye-laws should contain such a provision. Under the above Acts the Magistrate takes action on the application of the President. But there seems to be no objection to the President passing the necessary order in the first instance. If his order be not obeyed, for enforcement of the penalty the Magistrate's aid may be sought. Rule 1 is not sufficiently full and definite. If approved, sec. 379 of the Bombay Act which is the same as sec. 320 of the Calcutta Act, may, as modified below, be substituted for rule 1

"Whenever it is certified by the Sanitary Officer that any building or part of a building

(Question of law for Bombay)
Propose the Bombay sec 379 (which is the same as the provision for Calcutta)
Substitute for para 1 of the draft bye-laws

which is let in lodgings or occupied by
members of more than one family, is so
overcrowded as to endanger the health of
the inmates thereof, the President, after such
inquiry as he ~~[illegible]~~ thinks fit to make, may
by written order, require the owner of the
building, within a reasonable time not
exceeding six weeks, to be prescribed in the
said order, to abate the overcrowding thereof,
by reducing the number of lodgers, tenants
or other inmates of the said building, "as
~~[illegible]~~
~~[illegible]~~."

"If the owner of the said building
shall have sublet the same, the landlord
of the lodgers, tenants or other actual
inmates of the same shall, for the purposes
of this bye-law, be deemed to be the owner
of the building"

"It shall be incumbent on every
tenant, lodger or other inmate of the
building to vacate on being required
by the owner so to do in pursuance of
any such requisition."

27. Rule 5 of the bye-law may well be
omitted as there is already provision in
secs 95 & 96 of the Municipal Law on this point
Sec. 137(1)(d)(ii) contemplates provision

No 2 may stand -
No 3. ~~[illegible]~~ the words
Mention proposed -
remove this from more useful -
the word may after the President
has been altered to shall as
if the house is obviously unfit
for habitation the President
ought to proceed to have
it as a lodging house
No 4. It is suggested that the
"Other Officer authorized shall
be the Medical Officer of Health

(Continuation of Note or Precis).

5. may be omitted
as provisions are all
already by Sec 95
of the Municipal Law.

in the bye-law with regard to promoting cleanliness and ventilation in lodging houses but such provision should not be a repetition of what is already contained in the Law itself. What the bye-law should contain is supplementary provision, if any, on the subject

28. If rule 5 be omitted "para: 1 should be substituted for "para: 5" in rule 6. Further after the words "for every day" in rule 6 the words "during which" may be inserted

29. The above alterations in the bye-law are submitted for consideration. The alterations made by the President in the draft are of course desirable

Camping grounds

30. The bye-law on this point seems to be unobjectionable. The President may act on information given by any person. Persons complaining of the nuisance or affected by it would naturally give the information to the President

addition effected
may be may consider
desirable.

Injury or defacement of public property &c.

31 After the word "notice" in the first line of

rule 1, the words "in writing" may be inserted, and at the end of this rule the words "within 15 days after such notice" may be added. Sec. 270 of the Madras Act allows 15 days in such cases.

32. Under rule 2 advertising posters cannot be affixed even with the permission of the owner or occupier of a building. But sec. 328 of the Bombay Act is as follows:-

"No person shall, without the consent of the owner or occupier, affix any posting-bill, placard or other paper or means of advertisement against or upon any building, wall, board, fence or pale, or write upon, soil, deface or mark any such building, wall, board, fence or pale with chalk or paint or in any other way whatsoever"

If approved, this section of the Bombay Act, eliminating board, fence and pale therefrom may be substituted for the first sentence of rule 2 and the 2nd sentence in that rule relating to the drying of cowdung cakes may be retained as it is. The penal clause of the rule may form a separate para, thus.

"3. Any person not complying with a notice issued under para: 1 or infringing the provisions of para: 2 of this Bye-laws shall, on conviction, be liable to a penalty not exceeding Rs. 50/."

I agree. please pursue this.

Yes

33. The provisions of rule 2 need not be extended to drain lining roads. Such drains would be sufficiently protected from

Yes. say in the draft proposals of the advantages of adopting the working of sec 328 of the Madras Bombay Act under the Madras conditions as in some towns dangerous to permission of the municipality

(Continuation of Note or Precis).

from destruction and damage by the provisions of rule 3 in the draft. No appreciable injury would be done to trees by affixing advertisements &c to them. If the affixing of these to some trees be prohibited there will be no way of publishing them especially for the information of the persons who do not read newspapers; besides all advertisements etc do not appear in the papers.

34. Rule 3 of the draft Bye-law under sec. 137(1)(e)(iii) seems to be alright and merely

Preservation of water-supply

35. A bye-law under sec 137(1)(e)(vi) of the Municipal Law is to provide only for supervision and regulation of public wells, tanks etc. It is sec 101 of the Law that empowers the Commrs to set apart bathing and washing places and to prohibit bathing, washing etc except in such places. Therefore, the bye-law might be made under both the sections though sec. 101 alone is sufficient to cover the provisions of the draft bye-law.

36. It is both desirable and necessary that bathing and washing places be set apart by the Commrs before prohibiting bathing & washing in municipal wells, tanks &c.

it is not. But it is desirable that this should be repeated. Ok

I agree with him.

The prohibition is to extend only to such wells, tanks etc as have not been set apart for the said purposes. The Commrs may therefore be asked to set apart wells tanks, reservoirs etc for such purposes by this
After they have done so, the draft bye-law may run thus:

"Except as permitted in the preceding para: (or paras) of this bye-law, no person shall –

(a) bathe in or near any tank, reservoir, fountain, cistern, duck, standpipe, stream or well belonging to the Commrs, no stream of any kind in the station ??

(b) wash or cause to be washed in or near any such place or work, any animal, clothes or other article;

(c) throw, put or cause to enter into the water in any such place or work, any animal or other thing; or

(d) Cause or suffer to run or to drain into or upon any such place or work, or to be brought therein to or thereupon any thing, or do anything, whereby the water shall be in any degree fouled or corrupted." vide para 39.

37. The above is identical with sec. 388(a), (b), (c) & (d) of the Bombay Act except that in (a) "lake" has been omitted, as there is no lake in the C & on. station, and in (d) "run" has been added. It is shorter and more comprehensive than the draft bye-laws which

(Continuation of Note or Precis).

which seems to have been based on sec. 229 of the Madras Act where also the words "belonging to them or flowing from any building or from any ground occupied by them" occur; but as remarked by the Resident ~~xx~~ proprietorship is beside the question

38. Attention is also invited to sec. 384 ~~of the Bombay~~ of the Bombay Act, which is as follows:—

"No person shall—

(a) steep in any tank, reservoir, stream well or ditch any animal, vegetable or mineral matter likely to render the water thereof offensive or dangerous to health;

(b) whilst suffering from any contagious or loathsome disease, bathe in or near any lake, tank, reservoir, fountain, cistern, duck, standpipe, stream or well or on any part of the sea-shore.

If approved the provisions of this section of the Bombay Act may also be embodied in the bye-law, omitting the words underlined, and limiting the provisions only to ~~public~~ tanks, wells etc which

are public property, as such only are
contemplated by secs 101 and 137(1)(e)(vi)
of the Municipal Law of '97

39 The final clause may come last
and run thus

Insert from sec 39

"Whoever infringes any of the provisions
of para: of this bye-law shall be liable
on conviction, to a penalty not exceeding
£5 50 for each offence"
Submitted

AHB
20-1-98

40 I am much obliged to the Prov. Regr for
this very clear note. The file can now go
back to Brampton & the Clerks can proceed -
Preparing first revised draft of the bye-laws
in print - as per the foregoing note - my
amendations - the revised portions being
printed in Italics - the draft accompanying
this letter
the should call attention to the changes

Before finally passing - a printing - please
let the Prov. R. check & then let me see -
as printed by me
To be furnished before the 16 Feby -

OM

4-2-98 AL. AHB/2

(Continuation of Note or Precis).

41 Dft entr. Jn appl- — the Sub. Resp. Secs Secn and Checked

14/2

42 Submitted vide your order of 4th on previous page.

15/2 16/2

16/2

43. Letter No. 1051 dt 2-3-98 to the President with a copy of the bye-laws as revised, issued

S. 2.

44. With reference to Sl. 2 with which was forwarded a revised draft of bye-laws the President in his letter of the 27/28th ultimo submits the following remarks for the consideration of the Resident:-

S-3

Bye-law under sec. 137.(1)(i)

45- With reference to the President's remark that the fees for distraints seem to be too high, the President says that the schedule is exactly the same as that which has been in force hitherto under the Regulations of 1871 & 1883 and that except for sums under Rs 10/- it is on the same scale as that of the

Calcutta Act. He also adds that the number of cases in which distraint fees are levied is very small. The fact that the scale of distraint fees proposed was the same as that levied under the repealed Regulations was brought to the notice of the Resident in para: 21 of the note when he passed the remark as per margin thereof. The rate was considered high as compared with that levied in Madras and Bombay. It is a matter for consideration whether the old rates should be maintained or reduced

The point is submitted for orders. KSE 22/8.
In replying long I will think the rates high. But Mr. M insists on their retention M 26/8

46. The Resident also points out that the proviso to rule 5 though in italics was included in the draft approved by the Commrs. It was by mistake that the proviso was printed in italics in the revised draft and the fact seems to have been overlooked by the Office when the proof was corrected. All that was altered in the proviso was ~~transposition~~ "vide" "rule" "is" "be given" into "is shown" (vide end of para: 20 supra)

I suppose the office went by the notice as issued to the public - The proviso was afterwards added by the Commrs (see para 10 supra). KSE.

The Resident requests that the bye-laws as originally submitted may be confirmed

Yes M 26/8

Bye-law under sec 137 (1) (c)

47. As regards this bye-law the Resident states that there is no intention of taking

Calcutta Act. He also adds that the number of cases in which distraint fees are levied is very small. The fact that the scale of distraint fees proposed was the same as that levied under the repealed Regulations was brought to the notice of the Resident in para: 21 of the note when he passed the remark as per margin thereof. The rate was considered high as compared with that levied in Madras and Bombay. It is a matter for consideration whether the old rates should be maintained or reduced

The point is submitted for orders. KSE 22/8.
In reply my dear I will think the rates high - but Mr. L insists on their retention LL 26/8

46. The Resident also points out that the proviso to rule 5 though in italics was included in the draft approved by the Commrs. It was by mistake that the proviso was printed in italics in the revised draft and the fact seems to have been overlooked by the Office when the proof was corrected. All that was altered in the proviso was ~~transposition~~ "vide" "rides" "is" be given "into" "is shown" (vide end of para: 20 supra)

I suppose the office meant by the notice as issued to the public - The proviso was afterwards added by the Commrs (See para 10 supra). KSE.

The Resident requests that the bye-laws as originally submitted may be confirmed

LL 26/8

Bye-law under sec 137 (1) (c)

47. As regards this bye-law the Resident states that there is no intention of taking

taking a census before 1901 and that as there are many other subjects on which bye-laws are urgently required, the consideration of this bye-law may be allowed to stand over.

Bye-law under sec. 137(1)(d)

48. With regard to this bye-law the President says that the draft as amended will be placed before the Commrs., but points out that the revised draft allows no provision for making orders to remove uncleanliness or want of ventilation after a license has once been granted and that secs 95 & 96 provide only for cases of filth, unwholesomness and unfitness of a worse nature than it is desirable to allow in a lodging house where not only the life and health of the occupier, but also the lives and health of the lodgers in whose welfare the occupier has no permanent interest are at risk. He would therefore propose the retention of rule 5 of the original draft substituting the President shall make" for "The President may make."

49. If the words "and may also cancel a license already granted" be added to rule 3 of the revised draft

Loc may agree. KSE. 22/8.

402 Ml. 2678

I agree but suggest the following after "license" viz "or a license has been granted suspend it" I suggest this KSE.

that will meet the first part of the President's objections. As regards retention of rule 5 of the original draft, it may be permitted.

Personally I think that rule 3, revised as suggested, will meet the case & that there is no need of his rule 5.

mention this to me when he comes to see me. I know this matter & I know time having the matter in mind points

26/8

Bye law under sec. 137(1)(c)(i)

50. The President has nothing to say as to this

Bye-law under sec. 137(1)(c)(ii)

60. The President recommends a further amendment of the revised draft under this clause which he says was specially inserted at the instance of himself and the General Officer commanding the station with a view to prevent the use of walls and buildings adjoining public streets for affixing advertisement posters as well as for keeping them in good repair. If this is the case the amendment he suggests may be adopted. The provision of the Bombay Act (see para 32 supra) was embodied in the revised draft. The consent of the owner or occupier was considered to be a sufficient safeguard against walls and buildings being defaced by affixing advertisement posters. As regards defacement of trees it is not possible to make

I agree.
KSE
22/8.
26/8

any

(Continuation of Note or Precis).

any provision in the bye-law unless the Annual Law itself is amended as pointed out by Mr. Slight

I am not sure that the words the Municipal Engineer has used in the draft in the consultation with the Municipal Solicitor belongs to the Municipality that Municipality has no power to make bye-laws. Please check this point & advise me. Thanks

[illegible]

bye-law under sec. 137(1)(e)(vi)

The question as to which of the existing tanks & wells should be set apart for bathing purposes etc seems to be still under consideration. Pending its settlement the President thinks that the bye-law may remain in abeyance.

I agree.

22/8.

5.8.98.

62. Please read from para 44 supra - I have noted on margin

22/8.

Rest

63. I don't want the draft

26/8

26/8

64. Sec. 137(1)(e)(ii) refers only to buildings and walls adjoining a street and not to trees. Under the next clause injury to any public property might be prevented. There is no provision against defacement of trees. Therefore

under the law as it stands no such provision can be made.

65. With his letter No 3468 of the 17th instant the President has submitted bye-laws under secs. 137(1)(d) and 137 1 (e)(i) for confirmation by the Resident. The bye-law under the latter section has been adopted by the Commrs as at Sl 2A. In the bye-law under the former section the provisions of rule 5 of the original draft (Enc. to S.1) have been inserted as proposed by the President in Sl 3. If rule 3 of this bye-law had been altered a little as suggested by the Resident and the Asst Resident in the margin of para: 49 supra, there would have been no need for rule 5 of the original draft. However as the Commrs have adopted the bye-law with rule 5 of the first draft inserted into it, the bye-law may be confirmed. S. 4

66. A draft reply to the President with reference to both Sl 3 & Sl 4 is submitted for approval. If approved the notifn received with Sl 4 may be forwarded to the Superintendent, Gazette of India, for publication. ✱

AHE
24.8.98.

7-9

Secl No. 4614 dt 9.9.98

(Continuation of Note or Precis).

67 The Notifications of Bye Laws under Sec. 137 (1)(i) of the N. M. Law Regn. with the Resident's letter of 13. Feb. may be published. Dft Secy.

S. 6

19.2.99

27/2

S. 8. 68. Letter No. 7696 dated the 5th February 1900, from the Resident, forwarding for the Resident's confirmation bye-laws under Sec. 137(1)(c)(ii) and 137(1)(c)(iii)

Bye-laws under this section were submitted to the Resident by

× S. 1 Mr. Slight with his letter No. 4699 of 18th Dec. 1897. Those bye-laws were revised in this office and a copy of

Enc. to S. 2. the revised bye laws was forwarded to Mr. Slight with this office letter

S. 2 No. 1051 of the 2nd March 1898. In

S. 3 his letter No. 2792 of the 27/28th July 1898 Mr. Slight suggested some

modifications which were approved
in This Office letter No 4614 of the 5.5
9th Septr 1898.

by It will be seen on comparing
the draft bye-laws now received
with those originally submitted as suggested
in Sl 3, that the penalty clause
(para: 3 in the draft bye-law under
sec. 137 (1) (c) (ii) in Sl 2A) page 3 has
been omitted in the present draft,
and that the words "or trees" and
"or disfiguring" have been inserted

The penalty clause is necessary
The amendment suggested by Mr
Slight in Sl 3 referred only to
para: 2 of the bye-law at page
3 of Sl 2A. The omission of the
penalty is probably due to
an oversight. In merely inserting
the words above mentioned
Mr Slight's remarks in Sl 3
seem to have been overlooked
Sec. 137 (1) (c) (ii) of the Municipal

law applies only to erections or walls adjoining a street, while sec. 137 (1)(a)(iii) contemplates only "injury" (but not disfigurement) to public property. The words should therefore be deleted.

70. If approved this may be pointed out to the President. A republication of the bye-laws would perhaps be necessary as the penalty clause which is important to the public was omitted from the notice × published under sec. 182(1) of the Municipal Law.

× please see printed enclosures to S.8 at the end.

For orders

Atl
10.2.00.

71 Respecting persons who or shows bills thereupon or causes the injuring of public property, which can be prohibited under sec 137 (1)(a)iii. Posting of bills or notices must be some extent injurious to the public property and therefore together under

32

§ 137 (1)(c)(ii) & (iii); and amend the word "disposing" of Class in rule 8,

insert a rule giving a penalty as suggested by Mr. Reg., & send copy of the revised draft of Mr.,

with a remark that the addition of the penalty clause makes republication necessary. (It is clear that the Mr. are in earnest after what we said w/ our last letter especially, & sending us corrected drafts) 23/12/00

72. Mr Bompas: Inland L

Board L Stamp

12/2

Robson L
H/21/2.

73. Please mark as proposed L

Board — MC

25/2/00 Draft sent 28/2/00

74. A draft letter to the President and a revised draft of the bye-laws are submitted for approval. A penalty clause has been added as rule 5. This is the same as rule 3 of the draft bye-laws at page 3 of cl 2A with the necessary alterations. It will be observed that the penalty prescribed in that rule is Rs 50/ while the penalty for damaging public property &c is only Rs 20 Perhaps in the old draft this was justifiable. But ~~the~~ under the present draft disfigurement of a tree by affixing bills placards &c would be an offence punishable with fine up to Rs 50 (if the penalty amount of the old draft were retained) while the punishment for damaging a tree which might be more serious than a mere disfigurement of it, would be only Rs 20. Therefore, subject to approval, Rs 20 has been put down as the penalty for infringement of the provisions of the first four rules If this be disapproved, Rs 50/ will be inserted as in the old draft at cl 2A - page 3

AHR
26.2.20

Letter No. 1671 dated the 2nd. Jany. 1900, from the Resident, Brunei Commn. Sl. 10.

Resolution No. 1 of the Commn. is with reference to the bye-laws regarding injury to and disfigurement of public properties adjoining public streets. This is in accordance with the revised draft which accompanied this Office letter No. 1039 dated the 28th February 1900, except that the words "or disfiguring" in rule 6 have not been omitted (through an oversight apparently) as pointed out in that letter. The bye-laws now submitted may be confirmed subject to that modification. Sl. 9

Resolutions Nos 2 & 3 of the Commn. require no orders.

Resolution No. 4 modifies resolution No. 2 of 15th February last, regarding exemption of certain classes of vehicles and animals. The amendment is in accordance with the instructions conveyed in this Office letter No. 2176 dated the 7th May 1900. The resolution may now be confirmed. Sl. 22 of 4 4/99

77. A draft to the President conveying the Resident's confirmation of the beye-law and the resolution last mentioned is submitted for approval.

Initialed. A.R.P. H.C.. H.D.
9-6-00

Resident.

Initialed. D.R., H.D.
10-vi.

78. Issued No.2809 dated 13th -6-00.

Letter No.1786 dated 10/12 June 1900, from the President Municipal Commission requesting that the by law under section (i) (E) (ii) and (iii) may be ~~XXXXX~~ confirmed and notified.

Resident's confirmation was ~~applied~~ conveyed by serial 11

77. A draft to the President conveying the President's confirmation of the bye-law and the resolution last mentioned, is submitted for approval.

Rect 8/VI/00 UK 10/VI

AHL 9-6-00.

Issued No 2809 & 13/6/00.

Sl 11. 78

Letter No. 1786 & 10/12 June 1900 from the President, Municipal Commission, requesting that the bye-laws under Section 137 (1)(e)(ii) and (iii) may be confirmed and notified.

Sl 12.

President's Confirmation was conveyed by Sl 11.

79. Letter No. 1955 & 15/6/00 from the President, Municipal Commission, forwarding for publication revised bye-laws under Sec. 137 (1) (e) (ii) and (iii).

Sl 13
Sl 13/A

80. Draft to the Publisher, Gazette of India, Simla. Sl 13
Init 22/6/00 With reference to the orders of F.A. & Lt is respectfully submitted that the words "or disfiguring" have been duly expunged from rule 6 in the office copy of the revised Bye-laws forwarded

Encl 2 to Sl

~~to the President with sl. 30~~. The necessary alteration does not seem to have been made in the fair copy of the revised draft which was forwarded to the President with sl. 9.

Submitted

22/6/00.

81 Please see the orders of the First Assistant Resident on sl. 15.

82. A bye-law about Census under the Bangalore Municipal Law does not seem necessary at present. [In this connection kindly read para 22 of this note wherein the point has been noted on - - - Sec. 13 of the Census Bill No. 5 of 1900 * put up.
is the same as Sec. 13 of the Census Act of 1890 quoted in the said para.]. The general Census of 1891 of the C & M Station was taken wholly by the method authorized by the Act of 1890 as extended. It is desirable that a similar procedure should be followed in the Census of 1901. If approved, the President, Municipal Commission may be informed accordingly.

7/7/00

83 Read. I agree. The Census Bill has not become law yet. As soon as it does we can take suitable application to the Commr. In the meanwhile Mysl. Bylaws are omitted to be kept in over until [illegible]

84. [illegible] the Census Act is framed.

8/VII/00

(Continuation of Note or Precis).

85. Please see paragraphs 82 to 84 of note
The provisions of the Census Act II of 1900 have
been applied to the Cantonment of Bangalore
& action is being taken for undertaking
the Census of the Cantonment in accordance
with that Act & the Census Procedure (Cant
If approved, the President may now be
informed, in continuation of our letter
S.N.17 No 3475 dated the 20th July 1900, that no
special Municipal bye-laws are enacted as
the Census Act has been applied to the Can
Station & arrangements are being taken for
the Census of 1901 in accordance with it.

AS. 31-10-00

Dr/XI/00

R. P. B.—7-1900.—2,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 476 of 1897

J. 19

Letter No. 3503 *dated* 20 October 1903
from the President, Municipal Commissioners, Colombo

SUBJECT.

Amendment of Municipal Bye-Laws relating to wiring to, or disconnection of, Public Lamps.

The Bye-Laws to which an amendment is proposed relates to wiring to any Public property within the scope of section 137 (1) (e) (iii) of the Municipal Ordinance, 1887. The amendments now suggested are intended for overhanging electric wires in the Colombo Station. Are these wires public property? They are apparently not, because they do not belong to Govt. or to the Municipality. They belong to the Electrical Dept. of the Company, a Private Company, & electrical energy is supplied to the Colombo Station under a license granted to the Chief Electrical Engineer by the President under the provisions of the Indian Electricity Act, III of 1903, as applied to the Colombo Station. If

Sd. 160 A. Dec 543/1901

Sd. 97 A —do—

Sinde

If such is the case, the amendments cannot be confirmed as they do not come within the purview of section 137(1)(e)(iii) of the Municipal Law.

2. Supposing the amendments fall within the scope of section 137(1)(e)(iii) of the Municipal Law, still it appears undesirable to ispose them for the municipal President himself says in paragraph 3 of his letter that the Electricity Act which is in force in the Province of Quebec provides adequately for dealing with cases for which the proposed amendments are intended. The procedure according to the former might be tedious, troublesome or expensive, but it is prescribed under a British enactment which is in force in the Province and its observance ought not to be effected by an easier method supposing one can be secured under the Municipal Law. It is not likely that the Agents in Montreal will under a municipal by-law.

3. It seems then unnecessary to consider the amendments. The proposed

Notes—*continued.*

Margin for binding not to be written on.

proposed para: 6 (a) of the amendment being decidedly of a prohibitive nature, it seems desirable to be more precise in expressing the word "in the vicinity" should be amplified.

As under para 6 (b) of the amendment the Electric Supply is to be authorised by the Municipality for cutting down trees, the necessity for para 6 (c) is not apparent.

Para 6 (d) appears to be impractical inasmuch as it is too much to expect house owners to know when cases of emergency when report of damage is to be made by them.

Submitted for favour of orders.

25/10/09 4. Electric wires of the Bangalore Electrical Supply are not of public property.

The amendments proposed hereby cannot in view of Sec 13 (1) (e) (iii) of the Bangalore Municipal Law. & cannot be confirmed by the Govt. The Govt. Board Commrs. may be informed accordingly

25/10 5. Reply of Govt Sd Commr

Margin for binding not to be written on.

that s 137 (1) (e) (iii) under

which it is proposed to amend

existing By-laws No. 14 made by

Council Common by provide, by

By-laws, for preventing injury to

any public property" so that they

embrace within their limits any

proposed amendments Resd

Would like to be satisfied that the electric

power wires in the C & N Stations are

public property.

R 1/10/09

Resd

Draft letter is submitted for approval

Resd 2/11/09

R 2/11/09

Council No 7187 & 5 Aug

Notes-continued.

Margin for binding not to be written on.

D. 21.

D. O. letter dated the 23rd Dec. 4097 from the President, Municipal Commission, Colombo

6. The words "Public Property" are not defined in the Municipal Law. Perhaps they might be held to include property belonging to the Govt or the Municipal Commission of the Colombo Municipality if approved, a reply might be sent accordingly.

H.J.
3/1/10

Mr Richards may be asked and shall no definition of Public Property is practicable.

4/1/10 R 5/1 1910

Draft D.O letter is submitted for approval.

H.J.
5/1/10 5/1/10

S. 22. Issued D.O. No. 85 of 6th January 1910.

R. P. B.—7-09.—2,000.

Margin for binding not to be written on.

b

Office Note.

File No. 496/1897

N3

Letter No. 6876 . dated 11. Nov. 1912

from Ñ Asst. Brad Comm

SUBJECT.

Amendment of Municipal Byelaw re camping ground

It is not clear whether the proposed byelaw would in any way affect the interests of the local Military authorities as regards camping. No mention has been made of the amendment of the byelaw is not apparent. The Com may be consulted at a Tuesday meeting. If it is intended to place any restrictions on Military camping the matter may be referred to the N.C.O. for opinion

15/11/12

Issue D/o Gelw. PBW 18/11

Issued N 6876 of 19. 11. 12

S. 1, E. P. B.—11-1911.—5,000.

D. O Letter N. 7172 Dated the 25th Nov. 1912

51.25

binding not to be written on.

from the President, Municipal Commission,

re Station.

2. The Local Military authorities are strongly against the proposed amendment of the bye-laws since the matter was taken up at the instance of the Sanitary Board because there appears to be no suitable non-military land within the limits of the Station that can be used for military camp purposes. It seems however desirable for the Municipal President to consult the Station Staff Officer on the subject.

Draft D.O Letter is submitted for approval.

27/11/12

27/11/12

Regd.

3. Please see Serials 23 & 24. I think the bye-laws may be approved. It is unlikely to affect Military interests & if at any time the Military should wish to Camp on Municipal land, it is my right that they should do so with the President's approval.

MBW
28/11

4. I agree, but he might as well show D.F.O before final action. DS 29/11

The D.O letter may issue?
MS. 29/11

MBW 2/12

Issued No. 7141 & 4th December 1912

S.26.

Notes—continued

Margin for binding not to be written on.

Sl. 27

H. O. letter, dated the 19th inst. 4/12, from the President, Municipal Commission, Cape Town Station.

5 The bye-laws as amended may now be confirmed. Two drafts are submitted for approval—

(The date of the municipal notification has been altered from 11th inst. 4/12 to 21st inst. 4/12)

A.S. 19/12/12

PBS 20/12

19/12

Sl. 28-29. Dated nos 7676-7677 & 23rd December 1912

Margin for binding not to be written on.

File No. 496/1897

S.30

Office Note.

Letter No. 3133 dated the 25th August
from the President, Municipal Commrs

SUBJECT.

Amendment, Municipal Bye-Laws No. 7.

Please see S&S. regarding this bye-laws. If approved, the amendments may be confirmed.

Draft submitted for approval.

KM
2.9.16.

It seems that in such cases it would be better if the Resident is favoured with brief notes showing the circumstances which have given rise to the proposed amendments or the reasons for which they are necessary. The addition in para 2 of the words "such license may contain such terms &c" and in para 3 of the words "or for any other sufficient cause" gives wide powers which

S. 1.—E. P. B.—2-1914.—10,000

Margin for binding not to be written on.

File No. 496/1897

S.30

Office Note.

Letter No. 3133 dated the 25th August 1916 from the President, Municipal Commrs.

SUBJECT.

Amendment, Municipal Bye-Laws No. 7.

Please see S.30. regarding this bye-laws. If approved, the amendments may be confirmed.

Draft submitted for approval.

KM
2.9.16.

It seems that in such cases it would be better if the Resident is favoured with brief notes showing the circumstances which have given rise to the proposed amendments or the reasons for which they are necessary. The addition in para 2 of the words "such license may contain such terms as" and in para 3 of the words "or for any other sufficient cause" gives wide powers which,

S. 1.—E. P. B.—2-1924.—10,000

if they are to be free from any risk of abuse, will require the President to make personal inspections before he gives a license or passes other orders. It may be that similar bye-laws exist in other large towns, but a reference to them could have been made.

A.G. 419

Does an appeal lie to the Resd: against an order passed under these bye laws.

— in 9.9.16

~~No power of control exists the Registration and sections 7 of the Bengaton Municipal Law.~~

Para 6 of the bye-laws on page 47 of the bye-laws prescribes a penalty up to Rs 50 for any breach of the bye-laws. The prosecution is ordinarily before the Bench of Magistrates. An appeal from a conviction will lie to the District Magistrate who will dispose of it unless, on motion the Resident transfers it to some other authority for disposal. If the conviction is upheld a revision petition may be presented to the

Margin for binding not to be written on.

Margin for binding not to be written on.

the Residency.

Otherwise it does not appear that the Resident can very well interfere.

HS
9/9

Read:

Please see these notes from (1) - I spoke to Mr. Cox and suggested that perhaps he was asking for somewhat authoritative powers - His note below is the reply - I don't think there will be any harm in sanctioning the amendments proposed and this may be done.

Sin 14-10-16.

HWC
14.10.16

S. 31. Issued no. 7317 & 18.10.916.

Margin for binding not to be written in.

Office Note.

File No. 496/1917

34

Re.
Letter/No. 1807 dated 22nd Sept 1920
from The Pres. Rural Comm.

SUBJECT.

Re: giving publicity to by-laws or amendments thereto.

Please see S. 32, Office note thereon and S. 33.

In the circumstances stated in the L. no. perhaps the resolution at S. 32/a might be confirmed.

Subj. to orders, with a draft for approval.

2.10.20 4/10/20

Resolved

According to the Resolution the public are given 15 days from date of notification of intention to pass or amend bye-laws, within which they may lodge objections with the Comm.rs. The period allowed at present is 30 days.

It seems to me that 15 days is too short a period.

After the bye-laws should be

S. 1.—R. P. B.—8·1919.—5,000.

an indefinite period and its passing
or any amendment is final & conclusive
such Order or any rule made by Govt
cannot allow 30 days instead of
15 for its consideration by the Public.

4.10.20

I shall draft
proposed rules for the Govt.
& if approved to be laid
before Legislature in case of urgency.

6/10

If approved, the draft below, as
amended may issue.

9.10.20 9/10/20

Issued NN 9071 9 15.10.20 4.35

Margin for binding not to be written on.

4699 with 4 Encls:

Jn. 499 97

CIVIL AND MILITARY STATION, BANGALORE.

MUNICIPAL OFFICE.

DATED 18th December 1897.

FROM

A. M. SLIGHT, ESQUIRE, I. C. S.,

PRESIDENT, MUNICIPAL COMMISSION,

C. & M. STATION, BANGALORE.

To,

The FIRST ASSISTANT to the RESIDENT in MYSORE,

B A N G A L O R E.

SIR,

I have the honor to forward, herewith, Copy of Commissioners' Resolution No.2, dated 16th December 1897, approving of the draft Bye-laws under Section 137(1)(i),(c),(d),(e)(i), (e)(ii), & (e)(vi) of the Bangalore Municipal Law, 1897, for favor of the Resident's confirmation and Notification in the Gazette of India.

2. Three copies of the draft Bye-Laws are herewith forwarded.

Sent with 2 Jn 499/97 copies placed in Bkm. file

3. With reference to the last clause of para 20 of your letter No:3098, dated 28th July 1897, I have the honor to inform you that the Commissioners present at the adjourned Special Meeting on the 16th instant were about equally divided as to the necessity of publishing in Tamil, Canarese and Hindustani, as well as in

English; personally I am of opinion that very little, if any advantage, would be gained by such Vernacular publication, and that as the Municipal Law itself is published in English only there is no necessity to publish the Bye-Laws under it in any other language. I think that ample publicity would be given by publishing such Bye-laws in English only in the chief local paper, viz the Daily Post, and by placards in public places as is done in the case of Municipal notices regarding taxes.

I have the honor to be,

Sir,

Your most obedient servant,

President.

Abstract of Proceedings of an adjourned Special Meeting of the Municipal Commissioners held on the 16th instant.

⊠ ⊠ ⊠ ⊠

2. Resolution of the Commissioners No:2, dated 21st October 1897, approving of certain Bye-Laws framed by the Committe appointed for that purpose.

Notice No:3809, dated 4th November 1897, publishing the above Bye-laws and inviting objections.

Proposed by the President that the following amendment, suggested by the Bye-law Sub-Committee, be made to para 5 of the draft Bye-law published under Notice No:3809 dated November 1897.

"Provided that if sufficient cause for non-payment be giv to the satisfaction of the President, the fee may be remitted.

Carried unanimously.

Proposed by the President that no objections having been received to the Bye-law, the amended Bye-law as follows be submitted to the Resident for confirmation under Section 180(1) and (3), Bangalore Municipal Law.

BYE-LAW No. , DEMAND AND COLLECTION.

Bangalore M. L. 137 (1) (4)

5. For every notice of demand served under Section 180 (3) fee ... levied at the following rates.

Less than Rs. 5	...1 anna.
Not less than Rs. 5 but less than Rs. 10	...2 annas.
" 10 " 50	...4 "
" 50 " 100	...8 "
" 100 and over	...Re 1

Provided that if sufficient cause ... non-payment be g... to the satisfaction of the President ... the fee may be ...

...r every complaint made under ...36 (a) fees shall be levied at the following rates:—

Sums d...				Fees.		
Under 5 Rupees			...	0	8	0
5 and under 10 Rupees			...	1	0	0
10	15	"	...	1	8	0
15	20	"	...	2	0	0
20	25	"	...	2	8	0
25	30	"	...	3	0	0
30	35	"	...	3	8	0
35	40	"	...	4	0	0
40	45	"	...	4	8	0
45	50	"	...	5	0	0
50	60	"	...	6	0	0
60	80	"	...	7	8	0
80	100	"	...	9	0	0
	100 and over		...	10	0	0

The above charge includes all expenses, except when Peons are kept in charge of property distrained, in which case four annas must be paid daily for each man.

Carried unanimously.

Proposed by the President that the following Bye-law, draft of which was published under Notice No: 3809, dated 4th November 1897, and to which no objections have been received be submitted to the Resident for confirmation under Section 18[illegible] Bangalore Municipal Law.

BYE-LAW NO. TAKING OF A CENSUS.

B. M. L. Section 137 (1) *(c)*.

1. An enumeration shall be made at such time and in such manner ~~as shall be directed from time to time~~ by the Commissioner, with the sanction ~~or by the direction~~ of the Resident in Mysore of the persons who at the time of making such enumeration shall be within the Station.

2. One clear month previous to such enumeration being commenced, notice of the intention to make the same, with the date or dates upon or within which it is intended to be made and all other necessary particulars, shall be published in ~~the Gazette of India and in such English and Vernacular Newspapers in the Station as the President deems~~ fit.

3. The President shall superintend the taking of such enumeration and shall appoint such enumerators and make such arrangements generally as ~~may seem to the Commission~~ necessary for the purpose of such enumeration.

4. Every enumerator or other person appointed for this purpose by the President shall leave at each place of residence within his district, four days at least before the time appointed for the collection of the completed Returns of Census, a blank Schedule or Return, to be of such form and containing such particulars as the ~~Resident in Mysore approves~~, to be filled up and signed by the owner, tenant or principal occupants of the said place of residence.

5. Any person wilfully neglecting or refusing correctly to fill up and affix his signature or mark to any such schedule or Return so left at his place of residence, or who wilfully neglects or refuses to return the same to the enumerator or such other person when called upon so to do, or to furnish the necessary information to such enumerator or person to fill up the same for him if he do not know how to write, shall be liable to a fine not exceeding fifty rupees, and may also be detained in custody until he correctly fills up and signs or affixes his mark to the said schedule or return.

6. Such enumerator or person shall, if required, fill up all Schedules or Returns for those who are unable to write.

7. If any enumerator or other subordinate officer employed in the collection of such Schedules or Returns find any such Schedule or Return defective or in any respect improperly filled in, he shall return the same to the person by whom it was made or signed, together with a written or printed notice requiring that the same be duly filled in or amended within a specified period not less than twenty-four nor more than forty-eight hours.

8. If such person fails so to fill in or amend any such Schedule or Return, he shall be liable to a fine not exceeding fifty rupees and may also be detained in custody until he correctly fills in or amends the said Schedule or Return.

9. Every Military Officer in command of Military men or every person in charge of a Lunatic Asylum, Hospital or Prison, or of any public or private charitable or scholastic institution, every keeper of an Hotel or Lodging house, shall if required by the President act as an enumerator for the purpose of taking account of persons under his command or charge or abiding in his house, on the night immediately preceding the day to be appointed for the making of such enumeration.

10. Every person so required to act as an enumerator shall conform to all instructions in writing which may be issued to him by the President in that behalf; and shall, in case of his refusal or neglect so to do, be liable to a fine not exceeding fifty rupees.

11. Every person refusing to give information required under this Bye-Law, to such enumerators shall be liable to the punishment prescribed for refusing or omitting to give information to a Public Servant under the Indian Penal Code.

12. The President shall obtain, in such manner as appears to the Commission best adopted for the purpose and as is sanctioned by the Resident in Mysore, returns of the particulars required by this Bye-Law with respect to all houseless persons and all persons who, during the said night preceding the day to be appointed for the making of such enumeration, were on out-door duty, or for any other reasons, were not abiding in any house of which account is to be taken by the enumerators.

Carried unanimously.

Proposed by the President that the following Bye-law, draft of which was published under Notice No: 3809, dated 4th November 1897, and to which no objections have been received be submitted to the Resident for confirmation under Section 180(1) Bangalore Municipal Law.

BYE-LAW No. LODGING HOUSES.
B. M. L. Section 137 (2) (d).

1. Whenever it is certified by the Medical Officer that the number of persons who may occupy a building or part of a building which is let in lodgings or occupied by members of more than one family is excessive, the President shall make such order in writing as may be necessary to abate such overcrowding.
2. Every house which is ordinarily used as a lodging house shall be registered in the office of the Commission, and a license for the same obtained by the keeper or manager thereof.
3. If it is certified by the Medical Officer that the place is unfit for a lodging house, the President may refuse to grant such license.
4. Every licensed lodging house shall be open to inspection at all reasonable times by the President, Medical Officer or any other officer authorized by them.
5. If the Medical Officer certifies that for want of proper cleanliness or ventilation or from the state of any such house is dangerous or injurious to the health of the inmates, the President may make such orders to remedy such defects as he may consider necessary.
6. Any person keeping a lodging house without a license as required by para. 2 or failing to comply with any order issued by the President under para 5 shall be liable on conviction to a penalty not exceeding Rs. 10 and to a further penalty not exceeding Rs. 5 for every day such offence is continued after such conviction, and the President may on such conviction cancel the License.

Carried unanimously.

Proposed by the President that the following Bye-law, draft of which was published under Notice No: 3809, dated 4th November 1897, and to which no objections have been received be submitted to the Resident for confirmation under Section 180(1). Bangalore Municipal Law.

BYE-LAW NO. , CAMPING GROUNDS.
B. M. L. Section 137 (1) (e) (i)

If any place is used as a Camping Ground in such a manner as to be dangerous or offensive to the neighbourhood, the President may require the persons resorting it to take such measures as may be necessary to abate the nuisance, or may require such persons to leave the place within such time as he may consider reasonable. Any person disobeying any order given by the President under this Bye-Law, shall be liable on conviction to a penalty not exceeding Rs. 10.

Carried unanimously.

Proposed by the President that the following Bye-law, draft of which was published under Notice No: 3800, dated 4th November 1897, and to which no objections have been received be submitted to the Resident for confirmation under Section Bangalore Municipal Law.

BYE-LAW NO. INJURY OR DEFACEMENT OF PUBLIC PROPERTY OR BUILDINGS ADJOINING PUBLIC STREETS.
B. M. L. Section 137 (1)

1. The President may by notice require the occupier or owner of any premises to paint or plaster and whitewash or colour any building [illegible] adjoining a public street or to oppe any such [illegible] with brick [illegible] or to keep such building [illegible] in good repair.
2. No building, wall [illegible] adjoining a street shall be used for the purpose of affixing advertising [illegible] written permission of the President, and no person shall dry [illegible] on the external wall of any house adjoining a street. Any person in [illegible] convicted [illegible] penalty [illegible]. 50.

Carried unanimously

Proposed by the President that the following Bye-law, draft of which was published under Notice No: 3809, dated 4th November 1897, and to which no objections have been received be submitted to the Resident for confirmation under Section 180(1), Bangalore Municipal Law.

BYE-LAW NO. PRESERVATION OF WATER-SUPPLY.

Bangalore Municipal Law Section 137 (1) (e) (vi).

1. Whoever shall bathe in any stream, tank, reservoir, well, cistern, conduit or aqueduct belonging to the Commissioners, or washes, or causes to be washed therein, any horse, dog, or other animal, or any wool, cloth, or wearing apparel, or any utensils for cooking or other purposes, or leather, or the skin or any animal, or other foul or offensive things; or throws, puts or carts or causes to enter therein any animal, or any gravel, stone, dust, or rubbish, or any dirt, filth, or other noisome or offensive matter or thing; or causes or suffers to run, drain, or to be brought thereinto, the water of any sink, sewer, drain, engine or boiler, or any other unwholesome or offensive liquid matter or thing belonging to him, or flowing from any building or from any ground occupied by him, or does anything whatsoever whereby any such water shall be in any degree fouled or corrupted, shall be liable to a penalty not exceeding fifty rupees for each offence.

Provided that the Commission may assign or set apart any tank, well or other supply of water for the purpose of bathing or washing clothes or washing animals or any other purposes.

Carried unanimously.

⊠ ⊠ ⊠ ⊠

(Signed) A. M. Slight.,

President.

C O P Y

Secretary

No. 3098, dated Bangalore, the 28th July 1897.

From—Captain K. D. Erskine, I. S. C., First Assistant to the Resident in Mysore.

To—The President Municipal Commission, Civil and Military Station, Bangalore.

I am directed to invite a reference to your letter No. 1915 of the 28th September last, on the subject of the draft Municipal Regulation of 1896 and to state that copies of its enclosures were forwarded to the Government of India for the consideration of the Governor-General in Council. I am now to forward for the information and guidance of the Commission, a copy of the Bangalore Municipal Law, 1897, as finally approved by the Governor-General in Council. As you are aware, it has been published in the Gazette of India of the 9th June 1897, and you have been unofficially asked to have it printed and to supply this office with twenty copies.

2. As the new Law differs in many respects from the Regulations of 1883, which have been repealed, I am to point out the more important of the changes.

3. *Section 1 (2) read with Sections 3 (1) and 4.* These may be compared with the definition of "Municipal limits" in old Section 2. Under the Regulation now repealed, the Resident could fix and notify Municipal limits but this power has now been reserved for the Governor-General in Council. The effect of Section 2 of the new Law is to save all existing Notifications regarding Municipal limits so no fresh Notification by the Governor-General in Council is at present required.

4. *Section 3.* Several terms have been defined for the first time, among them "explosive" and "petroleum." As the Indian Explosives Act, 1884, and the Petroleum Act, 1886, have not been applied to the Station, the definitions therein of the above words have been entered.

As regards the definition of "notification" the "local official Gazette" is the Gazette of India, Part II.

5. *Sections 5, 6 and 7* are new.—As regards the first, no Notification has yet been issued by the Governor-General in Council, but enquiries will be made whether the Military authorities desire any buildings or lands in their exclusive possession to be exempted from the operation of the new Law. Should a Notification issue, the Commission will be informed and any action necessary can then be taken under new Section 70.

Sections 6 and 7 were discussed by the Commission in September last, and in part formed the subject of your letter quoted in my first paragraph. Looking to the unique position of this Station, consisting as it does of a Cantonment area intermingled with the area inhabited by the Civil population, the Governor-General in Council has decided to take power to exclude from municipal jurisdiction any local area in the Station, and to apply to any local area or, if need be, to the Station, any Cantonment Act or Regulation or rules thereunder.

6. *Section 8.* Sub-section (1) is new to the extent that the exact number of Commissioners is laid down, *viz.* 25 excluding the President. As regards sub-section (2) the present rules will remain in force until cancelled by the Resident; the propriety of amending the election rules is under consideration. Proviso (b) is new in that, with the sanction of the Governor-General in Council, the number of appointed Commissioners may exceed one third of the whole Commission.

Section 9 (2). The rules which at present regulate the term of office of Commissioners will remain in force until new rules are made by the Resident.

Section 10. Explains what a member of the Commission should do who desires to resign his seat and when such resignation shall take effect.

Section 11. Confers on the Resident more powers than he had under either Section 3 or 5 of the repealed Regulations. With reference to clause (c), I am to request you will be good enough to bring to notice any case in which a Commissioner has absented himself from meetings for more than three consecutive months.

Section 12. Certain Commissioners took objection to the proviso to sub-section (1) in September last, but the proviso does not in its effect seem to be an innovation, and in certain cases *e. g.*, the occurrence of a vacancy shortly before the date fixed for the annual election, it would obviously be desirable to

leave the vacancy unfilled until such election, more especially if the term of office of the person whose death, resignation or removal caused the vacancy were to expire at such election.

Section 13. Is new, and I am to request that on the election or appointment of a Commissioner you will submit for the approval of the Resident a draft Notification. *Section 15* is new. With reference to *Section 17*, I am to enquire whether the Commissioners propose to elect one, or two, of their number to be a Vice-President, or Vice-Presidents, and if so, what term of office they suggest that the Resident should fix. The names of the Commissioner or Commissioners, if any, elected by the Commission for the post of Vice-President should be communicated for the Resident's approval.

Under *Section 19 (1).* the Resident appoints the Residency Surgeon to be the Medical Officer to the Commission. This officer is already an appointed Commissioner, *ex-officio.*

7. *Section 23.* Is new, but it is understood that a Health Committee was appointed under the old Regulations and still exists. The Resident will be glad to learn who the members of this Committee are: it is very necessary that they should be active and diligent in the performance of their duty. It will be observed, that the Residency Surgeon in his capacity as Medical Officer will be *ex-officio* chairman of the Health Committee and it seems very desirable that the Commission should in order to obviate possible misunderstandings define clearly what the authority and responsibilities of the Health Committee are and the manner in which it should work. In this connection the new provisions of *Section 25* are very important. They may be compared with old Section 11. The Resident will be glad to know whether in addition to the foregoing the Commission proposes to delegate any of its current executive duties to a Vice-President, Commissioner or other officer, if so, the exact nature and extent of such delegation should be reported in the shape of bye-laws for approval, [Section 32 (1).]

8. *Section 26* may be compared with old Sections 18 and 20. It will be necessary for the Commission to make a bye-law under sub-section (1). *Section 28* may be compared with old Section 24. The quorum necessary for a special meeting has been raised from 12 to 13 *i. e.*, one-half of the Commission. The quorum for an ordinary meeting should now be fixed by bye-law which requires the approval of the Resident. [Section 32 (2)].

Section 31 may be compared with old Sections 19 and 26. Under old Section 19, the minutes of the proceedings of only ordinary meetings were placed at the convenience of the press. The Resident directs that this procedure continue not only in the case of minutes of proceedings of ordinary meetings but also in the case of those of special meetings. It will be noticed that these minutes are to be open to inspection by *any inhabitant* free of charge and not as laid down in old Section 26. The term inhabitant is defined in Section 3 (5).

Section 31 (2). The necessity for transmitting copies of all Resolutions passed at any meeting of the Commission to the Resident within 3 days from date of the meeting should not be overlooked.

9. *Section 32 (1)* relates to bye-laws. In making these the Commission will no doubt study the present procedure as enjoined in various sections of the old Regulations *e. g.*, under (a) old Section 18 read with new Section 26 (1), under (b) old Sections 18 and 20, under (c) old Section 24, under (d) old Section 19, 21, 23 and 24, under (e) old Section 6, and under (h) old Sections 14 and 15. It will be noticed that under Section 32 (2) certain bye-laws require the previous approval of the Resident. With reference to Section 32 (3), the Resident directs that every bye-law under that section be printed in English and hung up in some conspicuous part of the office of the Commission. It does not seem necessary that such bye-laws should be published in the local newspapers, but on this point, I am to invite an expression of your opinion.

10. *Section 33* is an enlargement of old Section 27 while *Section 34* is new and important. *Sections 35, 36 (2) and 36 (3)* are also new, *Section 36 (1)* follows old Section 6 and *Section 37* may be compared with old Section 16, clauses I and II. *Section 39* is new.

11. *Section 41* should be carefully studied. It sets forth the kinds of taxes that may with sanction be imposed by the Commission. A comparison

with old Section 34 will show that in the new law there is no specific mention of a tax upon the sale of spirituous and intoxicating liquors. The continued imposition of such a tax was contemplated by the late Resident when he submitted the draft of the Regulation which has now become law but the Government of India objected on the ground that it infringed on the sphere of Imperial taxation since the excise laws authorised the levy of license taxes on persons selling spirituous liquors. However on it being represented that the sudden withdrawal from the revenues of the municipality of a sum of Rs. 42,000 per annum made up as follows, *viz.*

Liquor shops registration fees under old Section 58	Rs. 13,000
Fees on sales of liquor under old Section 56 ...	Rs. 29,000

would seriously cripple the resources of the municipality, the Government of India have been pleased to allow the continuance of the present tax on liquor as a temporary measure pending the decision as to the abkari system to be adopted in future in the Station. Thereafter they will be prepared to grant the Commission concurrently with the abolition of the tax in question, such subvention from the general revenues of the Assigned Tract as they may from time to time consider to be advisable on an examination of the municipal finances. The present tax is levied "with the approval of the Resident in Mysore and the sanction of the Government of India" under section 34 of the old Regulations and as a similar tax could with the like dual sanction be imposed under Section 41 (1) B of the new Law the present tax will continue to be leviable without further sanction until abolished under the new Section 45.

12. The new Law contemplates the continued imposition of a tax on persons practising any profession or art or carrying on any trade or calling in the Station but the Government of India in the correspondence referred to in the preceding paragraph remarked that a profession tax so closely resembled an income tax that they desired that wherever possible it should be discontinued, and they enquired whether an extension of the octroi system would not prove an equally productive substitute and at the same time more economical in the way of establishment. The late Resident replied that the Commissioners were anxious to abolish altogether the tax which brought in some Rs. 12,000 a year, and that it was hoped that the deficiency might be made good by an extension of octroi taxation, but he asked that until some experience had been gained in regard to that alternative the tax might be allowed to remain in force, subject to the condition that it was not to be levied from Military employees. To this request the Government of India have acceded and the tax will for the present continue to be levied on persons other than military officers or soldiers employed on military duty in the Station. These classes, which are held to include ladies of the Indian Nursing Association, have, as you are aware, been exempted from such taxation by the agreement of February 1897, with the Municipal Commissioners in part consideration for the water supply presented to the Station by the Government of India, but it is necessary to formally notify the exemption under the new Section 46 (2) and I am to ask you to be good enough to submit a draft Notification. The question of extending octroi taxation is, it is believed, still receiving the consideration of the Commission and when it has been decided, the profession tax can be totally abolished as explained. It seems very desirable that no further delay than is absolutely unavoidable should be allowed to occur in the preparation of a complete octroi scheme, and the Resident will be glad to know what the prospects are of an early settlement of this long pending question.

13. *Section 41 (a)* (1) contemplates the imposition of a tax on buildings and lands at a rate not exceeding 10 per cent on the annual value, and there is no mention in the new Law of a "lighting rate." The old Regulations (Sections 64 and 195) authorized a tax not exceeding 5 per cent on annual value on houses and not exceeding 1 per cent for lighting. It will be understood that the 10 per cent tax mentioned in the new Law is to include the lighting tax.

14. The Resident will be glad to hear how the Commissioners propose to reorganise their present system of taxation so as to bring it into conformity with the new provisions as explained in the three preceding paragraphs. The Government of India have called for, and you have recently submitted a full account of municipal taxation and resources and the requirements of the Station.

15. *Sections 42 and 43* are to some extent new and may be compared with old *Sections 108* and *198*. *Section 44* is new. It will be noticed that the

entire procedure in connection with the imposition of a tax can be conducted at special meetings only.

Section 45 is also new and this business can only be done at a special meeting. The same remark applies to *Section 46 (2)*.

Under *Section 48* the Commission must settle as to dates and instalments on and in which taxes are to be paid. *Section 49* is new but has probably been followed hitherto. *Section 50* is to some extent new. and may be compared with old Section 78. It will be seen that the period within which an appeal has to be lodged has been reduced in *Section 51* (1) from thirty to seven days. *Section 52* is new.

16. The minimum period to be mentioned in the notice referred to in *Sections 56* (1) and *58* (1) is one month against fifteen days in old Sections 73 and 76.

Section 60 may be compared with old Section 66. It relates to water tax as well as a tax on immoveable property.

As regards *Section 54* and following Section the Resident presumes that the Commission will delegate some at least of it's functions in the assessment of taxes on immoveable property to two or more Commissioners. This point should be considered and reported upon.

17. *Section 63 to 67* inclusive may be compared with old Sections 62 A. to 62 Q. If will be seen as regards *Sections 66* and *67* (2) (i) that imprisonment can not now be awarded. The Government of India at first objected to the powers conferred by *Section 67* (2) (ii) and this objection is still maintained; they have however allowed the clause to stand on the understanding that the Commissioners recognize the importance of the interests to be protected and are prepared to recast their present system of taxation.

18. *Section 69* is to a great extent and *Sections 70, 72, 74* and *75* are entirely new. As regards chapter V, it will be noticed that *Section 79* is new as also *Sections 84* and *85*. *Section 83* is to a great extent new and is important. Bye-laws should be made. The following Sections are also new *viz.*, *98, 102, 108, 109, to 111, 113, 114, 116, 121* to *123, 130* and *143*. *Section 124* (*1*) follows old Section 177 A. but is considerably enlarged. *Section 138* differs from old Section 224 in that the maximum penalty for infringement of a bye-law has been raised from Rs. 20 to Rs. 50 and the maximum daily fine for a continuing breach has been reduced from Rs. 10 to Rs. 5.

19. A comparison of *Sections 144* to *149* will show that the penalties for the various offences have been altered, in some cases raised and in some reduced. The following Sections in chapter VI are new *viz.*, *152 to 155, 157* to *161* and *163* and *164*. Chapter VII is entirely new. While chapter VIII is for the most part new. In chapter IX *Sections 177, 179, 184, 185*, and *188 to 191* are new.

20. It will be noticed that bye-laws are contemplated in the following Sections *viz.*, 25 (1), 26 (1), 28 (2), 32 (1) (a) to (i), 83 (1), 83 (2) 84 (1) 102 (a) (2) (h) 106, 110, 111, 113 (3), 124, and 137 (a) to (l). Bye-laws are of three kinds *viz.*, (1) those which require the approval of the Resident *viz.*, under Sections 32 (1) (c) and 32 (1) (f) (2); those which require the confirmation of the Resident *viz.*, all bye-laws under chapter V, and (3), those which require neither the approval nor the confirmation of the Resident *viz.*, bye-laws under Sections 25 (1), 26 (1), 28 (2), 32 (1) (a), 32 (1) (b), 32 (1) (d), 32 (1) (e) 32 (1) (g) to (i). Bye-laws can be passed at special meetings only *vide* Section 3 (13). Drafts of all bye-laws save those under Sections 25 and 32 have to be published in such manner as the Commission deems sufficient for giving information to persons interested, and the notice which must accompany such draft has to specify a date on or after which the draft will be considered. Any objections that may be received have to be considered by the Commission and also by the Resident should his confirmation be required by law. All bye-laws save those under Section 25 or 32 have to be notified in English and in such other language as the Resident may direct. The word "notified" means published in the Gazette of India Part II and it will consequently be necessary when any such bye-law is finally made to forward a copy of it to this office for publication in the Gazette. The Resident will be glad to know if the Commission think it necessary to have the bye-law translated into any vernacular and published in any local paper, if so, the vernacular and the paper should be mentioned.

Residency Press, Bangalore.—29-7-97.—40.

Comparative Statement of the scales of fees chargeable for distraints under the various Municipal Acts:—

	Bombay City Act (Schedule I)	Calcutta Act Schedule VIII	Bengal Act Schedule IV B	Madras Act Schedule K	Madras District municipalities Act — Schedule G	Coimbatore Regn. of 1883 Schedule G	Proposed draft bye-laws
	Rs as p						
Under 1			" 4 "		" 4 "		
Under 5 Rupees	" 4 "	" 4 "	8	" 4 "	" 8 "	" 8 "	" 8 "
Rs 5 and under 10 Rs	" 8 "	" 8 "	1 " "	" 8 "	1 " "	1 " "	1 " "
" 10 " 15 "	" 12 "	1 " "	1 8 "	" 12 "	1 8 "	1 8 "	1 8 "
" 15 " 20 "	1 " "	1 8 "	2 " "	1 0 "	2 " "	2 " "	2 " "
" 20 " 25 "	1 4 "		2 8 "	1 4 "	2 8 "	2 8 "	2 8 "
" 25 " 30 "	1 8 "	2 " "	3 " "	1 8 "	3 " "	3 " "	3 " "
" 30 " 35 "	1 12 "		3 8 "	1 12 "	3 8 "	3 8 "	3 8 "
" 35 " 40 "	2 " "	3 " "	4 " "	2 " "	4 " "	4 " "	4 " "
" 40 " 45 "	2 4 "		4 8 "	2 4 "	4 8 "	4 8 "	4 8 "
" 45 " 50 "	2 8 "	4 " "	5 " "	2 8 "	5 " "	5 " "	5 " "
" 50 " 60 "	3 " "	5 " "	6 " "	3 " "	6 " "	6 " "	6 " "
" 60 " 80 "	3 12 "	6/7 " "	7 8 "	3 12 "	7 8 "	7 8 "	7 8 "
" 80 " 100 "	4 8 "	8/9 " "	9 " "	4 8 "	9 " "	9 " "	9 " "
Above 100	5 " "	10 " "	10 " "	5 " "	10 " "	10 " "	10 " "

Comparative Statement of the scales of fees chargeable for distraints under the various Municipal Acts:—

	Bombay City Act. (Schedule I)	Calcutta Act. Schedule VIII	Bengal Act Schedule IV B	Madras Act Schedule K	Madras District municipalities Act — Schedule G	Bangalore Regn. of 1883 Schedule G	Proposed draft bye-law
	Rs as p						
Under 1	" 4 "		" 4 "		" 4 "		
Under 5 Rupees	" 4 "	" 4 "	8	" 4 "	" 8 "	" 8 "	" 8 "
Rs 5 and under 10 Rs	" 8 "	" 8 "	1 " "	" 8 "	1 " "	1 " "	1 " "
" 10 " 15 "	" 12 "	1 " "	1 8 "	" 12 "	1 8 "	1 8 "	1 8 "
" 15 " 20 "	1 " "	1 8 "	2 " "	1 0 "	2 " "	2 " "	2 " "
" 20 " 25 "	1 4 "		2 8 "	1 4 "	2 8 "	2 8 "	2 8 "
" 25 " 30 "	1 8 "	2 " "	3 " "	1 8 "	3 " "	3 " "	3 " "
" 30 " 35 "	1 12 "		3 8 "	1 12 "	3 8 "	3 8 "	3 8 "
" 35 " 40 "	2 " "	3 " "	4 " "	2 " "	4 " "	4 " "	4 " "
" 40 " 45 "	2 4 "		4 8 "	2 4 "	4 8 "	4 8 "	4 8 "
" 45 " 50 "	2 8 "	4 " "	5 " "	2 8 "	5 " "	5 " "	5 " "
" 50 " 60 "	3 " "	5 " "	6 " "	3 " "	6 " "	6 " "	6 " "
" 60 " 80 "	3 12 "	6/7 " "	7 8 "	3 12 "	7 8 "	7 8 "	7 8 "
" 80 " 100 "	4 8 "	8/9 " "	9 " "	4 8 "	9 " "	9 " "	9 " "
Above 100 "	5 " "	10 " "	10 " "	5 " "	10 " "	10 " "	10 " "

Civil and Military Station, Bangalore.

Municipal Office.

No. 3809.

Dated 4th November 1897.

NOTICE

IS hereby given under Section 180, Bangalore Municipal Law, 1897, that the following Draft Bye-laws having been approved by the Municipal Commission for the Civil and Military Station of Bangalore, will be taken into consideration with a view to their being made into Bye-laws on or after the 9th December 1897, together with any objection thereto which may be received before that date.

TAXATION.

BYE-LAW No. , DEMAND AND COLLECTION.

Bangalore M. L. 137 (1) (*i*).

5. For every notice of demand served under Section 186 (*b*) fees shall be levied at the following rates.

Less than Rs. 5	...1 anna.
Not less than Rs. 5 but less than Rs. 10	...2 annas.
" 10 " 50	...4 "
" 50 " 100	...8 "
" 100 and over	...Re. 1

Provided that if sufficient cause for nonpayment be given to the Satisfaction of the president the fee may be remitted.

6. For every distraint made under Section 186 (*c*), fees shall be levied at the following rates:—

Sums distrained for			Fees.		
Under 5 Rupees		...	0	8	0
5 and under	10 Rupees	...	1	0	0
10 "	15 "	...	1	8	0
15 "	20 "	...	2	0	0
20 "	25 "	...	2	8	0
25 "	30 "	...	3	0	0
30 "	35 "	...	3	8	0
35 "	40 "	...	4	0	0
40 "	45 "	...	4	8	0
45 "	50 "	...	5	0	0
50 "	60 "	...	6	0	0
60 "	80 "	...	7	8	0
80 "	100 "	...	9	0	0
	100 and over	...	10	0	0

The above charge includes all expenses, except when Peons are kept in charge of property distrained, in which case four annas must be paid daily for each man.

BYE-LAW NO. TAKING OF A CENSUS.

B. M. I. Section 137 (1) (*c*).

1. An enumeration shall be made at such time and in such manner as shall be directed from time to time by the Commissioner, with the sanction or by the direction of the Resident in Mysore of the persons who at the time of making such enumeration shall be within the Station.

2. One clear month previous to such enumeration being commenced, notice of the intention to make the same, with the date or dates upon or within which it is intended to be made and all other necessary particulars, shall be published in the Gazette of India and in such English and Vernacular Newspapers in the Station as the President deems fit.

3. The President shall superintend the taking of such enumeration and shall appoint such enumerators and make such arrangements generally as may seem to the Commission necessary for the purpose of such enumeration.

4. Every enumerator or other person appointed for this purpose by the President shall leave at each place of residence within his district, four days at least before the time appointed for the collection of the completed Returns of Census, a blank Schedule or Return, to be of such form and containing such particulars as the Resident in Mysore approves, to be filled up and signed by the owner, tenant or principal occupants of the said place of residence.

5. Any person wilfully neglecting or refusing correctly to fill up and affix his signature or mark to any such schedule or Return so left at his place of residence, or who wilfully neglects or refuses to return the same to the enumerator or such other person when called upon so to do, or to furnish the necessary information to such enumerator or person to fill up the same for him if he do not know how to write, shall be liable to a fine not exceeding fifty rupees, and may also be detained in custody until he correctly fills up and signs or affixes his mark to the said schedule or return.

6. Such enumerator or person shall, if required, fill up all Schedules or Returns for those who are unable to write.

7. If any enumerator or other subordinate officer employed in the collection of such Schedules or Returns find any such Schedule or Return defective or in any respect improperly filled in, he shall return the same to the person by whom it was made or signed, together with a written or printed notice requiring that the same be duly filled in or amended within a specified period not less than twenty-four nor more than forty-eight hours.

8. If such person fails so to fill in or amend any such Schedule or Return, he shall be liable to a fine not exceeding fifty rupees and may also be detained in custody until he correctly fills in or amends the said Schedule or Return.

9. Every Military Officer in command of Military men or every person in charge of a Lunatic Asylum, Hospital or Prison, or of any public or private charitable or scholastic institution, every keeper of an Hotel or Lodging house, shall if required by the President act as an enumerator for the purpose of taking account of persons under his command or charge or abiding in his house, on the night immediately preceding the day to be appointed for the making of such enumeration.

10. Every person so required to act as an enumerator shall conform to all instructions in writing which may be issued to him by the President in that behalf; and shall, in case of his refusal or neglect so to do, be liable to a fine not exceeding fifty rupees.

11. Every person refusing to give information required under this Bye-Law, to such enumerators shall be liable to the punishment prescribed for refusing or omitting to give information to a Public Servant under the Indian Penal Code.

12. The President shall obtain, in such manner as appears to the Commission best adopted for the purpose and as is sanctioned by the Resident in Mysore, returns of the particulars required by this Bye-Law with respect to all houseless persons and all persons who, during the said night preceding the day to be appointed for the making of such enumeration, were on out-door duty, or for any other reasons, were not abiding in any house of which account is to be taken by the enumerators.

BYE-LAW No. LODGING HOUSES.

B. M. L. Section 137 (1) *(d)*.

1. Whenever it is certified by the Medical Officer that the number of persons who may occupy a building or part of a building which is let in lodgings or occupied by members of more than one family is excessive, the President shall make such order as he thinks fit to abate such overcrowding.

2. Every house which is ordinarily used as a lodging house shall be registered in the office of the Commission, and a license for the same obtained by the keeper or manager thereof.

3. If it is certified by the Medical Officer that the place is unfit for a lodging house, the President may refuse to grant such license.

4. Every licensed lodging house shall be open to inspection at all reasonable times by the President, Medical Officer or any other officer authorized by them.

5. If the Medical Officer certifies that for want of proper cleanliness or ventilation the state of any such house is dangerous or injurious to the health of the inmates, the President may make such orders to remedy such defects as he may consider necessary.

6. Any person keeping a lodging house without a license as required by para 1 or failing to comply with any order issued by the President under para 5 shall be liable on conviction to a penalty not exceeding Rs. 50 and to a further penalty of Rs. 5 for every day such offence is continued after such conviction, and the President may on such conviction cancel the License.

BYE-LAW NO. , CAMPING GROUNDS.

B. M. L. Section 137 (1) *(e)* (i)

If any place is used as a Camping Ground in such a manner as to be dangerous or offensive to the neighbourhood, the President may require the persons so using it to take such measures as may be necessary to abate the nuisance, or may require such persons to leave the place within such time as he may consider reasonable. Any person disobeying any order given by the President under this Bye-Law, shall be liable on conviction to a penalty not exceeding Rs. 10.

BYE LAW NO. INJURY OR DEFACEMENT OF PUBLIC PROPERTY OR BUILDINGS ADJOINING PUBLIC STREETS.

B. M. L. Section 137 (1) *(e)* (ii)

1. The President may by notice require the occupier or owner of any premises to paint or plaster and whitewash or colorwash any building or wall therein which adjoins a public street or to cope any such wall with bricks or tiles, or to keep such building or wall in good repair.

2. No building or wall or other place adjoining a street shall be used for the purpose of affixing advertising posters except with the written permission of the President, and no person shall dry bratties or cow dung cakes on the external wall of any house or yard adjoining a public street. Any person infringing this Bye-Law shall on conviction be liable to a penalty not exceeding Rs. 50.

Bangalore Municipal Law Section 137 (1) *(e)* (iii).

3. Any person destroying or in any way damaging any trees or Plants in Public gardens or on the sides of roads or cutting or rooting up grass, or in any way injuring the sides and embankment of roads, fences, parapet walls or any other Municipal property shall be liable on conviction to a penalty not exceeding Rs. 20.

BYE-LAW NO. PRESERVATION OF WATER SUPPLY.

Bangalore Municipal Law Section 137 (1) *(e)* (vi).

1. Whoever shall bathe in any stream, tank, reservoir, well, cistern, conduit or aqueduct belonging to the Commissioners, or washes, or causes to be washed therein, any horse, dog, or other animal, or any wool, cloth, or wearing apparel, or any utensils for cooking or other purposes, or leather, or the skin or any animal, or other foul or offensive things; or throws, puts or carts or causes to enter therein any animal, or any gravel, stone, dust, or rubbish, or any dirt, filth, or other noisome or offensive matter or thing; or causes or suffers to run, drain, or to be brought thereinto, the water of any sink, sewer, drain, engine or boiler, or any other unwholesome or offensive liquid matter or thing belonging to him, or flowing from any building or from any ground occupied by him, or does anything whatsoever whereby any such water shall be in any degree fouled or corrupted shall be liable to a penalty not exceeding fifty rupees for each offence.

Provided that the Commission may assign or set apart any tank, well or other supply of water for the purpose of bathing or washing clothes or washing animals or any other purposes.

(Sd.) A. M. SLIGHT,
President.

File 496/97

No. 1051. Enc.

FROM

CAPTAIN K. D. ERSKINE, I. S. C.,
FIRST ASSISTANT TO THE RESIDENT
IN MYSORE.

To

THE PRESIDENT, MUNICIPAL COMMISSION,
CIVIL AND MILITARY STATION,
BANGALORE.

Dated Bangalore, the 2nd March 1898.

SIR,

S. 1

I am directed to acknowledge the receipt of your letter No. 4699, dated the 18th December 1897, with which was forwarded for the Resident's confirmation, and notification in the Gazette of India, certain bye-laws approved by the Commissioners.

2. In reply, I am to enclose a revised draft of the bye-laws, in which the alterations proposed by the Resident are shown in italics, and to offer for the consideration of the Commission, the following observations on the draft:—

Bye-law under Section 137 (I) (i) B. M. L.

The schedule of fees to be charged for distraints as given in the bye-law approved by the Commission, seems to contemplate an invariable charge at a rate double the scale fixed for the Madras Municipality, but, with the exception of the scale for sums under one rupee, it is identical with that adopted for the District Municipalities in Madras; that scale, however, gives a maximum charge (V Section 108 of the Madras Act, IV of 1884). As invariable rates, those now proposed for the Civil and Military Station, seem to Colonel Robertson to be too high, and I am to suggest therefore that they be reconsidered.

Bye-law under Section 137 (I) (c) B. M. L.

As regards this bye-law, I am to enquire whether the Commission propose to take a census before 1901, if not, the bye-law seems at present unnecessary. If, however, it is considered desirable that such a bye-law should be framed and passed, the one now proposed will require some alteration for the following reasons:—

(a) the penal clauses as to detention in custody in paragraphs 5 and 8 and the whole of paragraph 11 are *altra vires*, as they contravene Section 138 (i) of the B. M. L., 1897, which only allows of a certain punishment for breach of bye-law, and this, obviously, cannot be varied or exceeded,

(b) the first nine words in paragraph 9 of the Commissioners' draft, should, the Resident thinks, be omitted, as barracks and other parts of the Civil and Military Station occupied by the Military will probably be excluded from the jurisdiction of the Commission.

(c) paragraph 12 of the draft seems to contemplate the taking of a census during the day; I am to inquire if this is the intention of the Commission; the chances of arriving at a correct enumeration

of the population seem to be greater if the census be taken at night. An amended draft, with slight verbal alterations in paragraphs 1, 2, 3 and 4, is attached for the consideration of the Commissioners.

Bye-law under Section 137 (1) (d).

I am to quote in this connection Section 379 of Bombay Act, III of 1888, the provision of which is almost identical with that of Section 320 of the Calcutta Act, II of 1888, and to inquire if it would not be desirable to substitute this Section, modified as shown in the enclosed draft, for paragraph 1 of the Commissioner's draft. The Section runs thus :

> "If it shall appear to the Commissioner that any building used as a dwelling is so overcrowded as to endanger the health of the inmates thereof, he may apply to the Chief Presidency Magistrate to prevent such overcrowding; and the said Magistrate, after such inquiry as he thinks fit to make, may, by written order require the owner of the building, within a reasonable time not exceeding six weeks, to be prescribed in the said order, to abate the overcrowding thereof, by reducing the number of lodgers, tenants or other inmates of the said building, or may pass such other order as he shall deem just and proper."
>
> "If the owner of the said building shall have sublet the same, the landlord of the lodgers, tenants or other actual inmates of the same shall, for the purpose of this section be deemed to be the owner of the building."
>
> "It shall be incumbent on every tenant, lodger or other inmate of the building to vacate on being required by the owner so to do in pursuance of any such requisition."

The verbal alterations proposed in paragraph 3 render it more useful; the word *may* after "President" has been altered to *shall* as, if the house is obviously unfit for habitation, the President certainly ought to refuse to license it as a lodging house. In paragraph 4 it is suggested that the "other officer" authorised should not be below the rank of overseer. Paragraph 5 of the Commissioner's draft has been omitted as its provisions are well covered already by sections 95 and 96 of the B. M. Law.

Bye-law under Section 137 (I) (e) (i).

The addition here of the words "after such enquiry as he may consider sufficient" seems desirable.

Bye-law under Section 137 (I) (e) (ii).

The addition in paragraph 1 of the words "in writing," and "after fifteen days after such notice," seems desirable and these have been added.

Under paragraph 2 of the Commissioner's draft, advertising posters cannot be a fixed even with the permission of the owner or occupier of a building. For this paragraph, section 328 of the Bombay Act has been substituted, as shown in the enclosed draft, with the addition of the clause relating to the drying of cowdung cakes taken from the Commissioner's draft, the penal clause forming a separate paragraph.

The advantage of adopting the wording of section 328 of the Bombay Act would be that no one would be able to fix posters on trees as is now sometimes done without permission of the municipality.

Bye-law under Section 137 (I) (e) (vi).

In regard to this bye-law, I am to say that the intention of the section under which it is framed is to provide for the supervision and regulation of public wells, tanks &c. But section 101 of the law empowers the Commission to set apart bathing and washing places, and to prohibit bathing, washing &c., except in such places. Any bye-law therefore to be framed for these purposes might be made under both the sections of the B. M. L., referred to, though section 101 is sufficient to cover the provisions of the draft bye-law.

It is both desirable and necessary that bathing and washing places be first set apart by the Commission before the prohibition of bathing and washing in wells, tanks &c., belonging to the municipality. I am to suggest, therefore,

that this be first done, and then, a bye-law on the lines of that proposed in the enclosed draft, may be passed, which, it may be remarked is identical with section 388 (*a*) (*b*) (*c*) and (*d*) of the Bombay Act, modified to suit the Civil and Military Station.

The additions of clauses (*a*) and (*b*) as shown in the enclosed draft are based on section 389 of the Bombay Act, and will, the Resident thinks, commend themselves to the Commission.

3. In conclusion, with reference to paragraph 3 of your letter under reply, I am to say that the Resident agrees with you that every bye-law when formally passed, (and confirmed or approved by the Resident if necessary under the law) may be published in the "Daily Post" and posted up in public places as is done in the case of municipal notices.

I have the honour to be,

Sir,

Your most obedient servant,

3/3-

CAPTAIN,

First Assistant to the Resident.

File 496/97

2 A

Civil and Military Station, Bangalore.

Municipal Office.

NO. 3809.

Dated 4th November 1897.

NOTICE

Is hereby given under Section 180, Bangalore Municipal Law, 1897, that the following Draft Bye-laws having been approved by the Municipal Commission for the Civil and Military Station of Bangalore, will be taken into consideration with a view to their being made into Bye-laws on or after the 9th December 1897, together with any objection thereto which may be received before that date.

TAXATION.

BYE-LAW No. DEMAND AND COLLECTION.

Bangalore M. L. 137 (1) (*i*),

5. For every notice of demand served under Section 186 (*b*) fees shall be levied at the following rates.

Less than Rs. 5	...	...	...	...	...	1 anna.
Not less than Rs.	5	but less than Rs.	10	...	...	...	2 annas.
„	10	„	50	...	...	...	4 „
„	50	„	100	...	...	...	8 „
	100 and over	...		...	...	...	Re. 1

Provided that if sufficient cause for non-payment is shown to the satisfaction of the President, the fee may be remitted.

6. For every distraint made under Section 186 (*c*), fees shall be levied at the following rates:—

Sums distrained for							Fees.		
Under 5 Rupees	...	...	...	...	...		0	8	0
5 and under 10 Rupees			...	...	...	...	1	0	0
10 „	15 „		...	...	...	...	1	8	0
15 „	20 „		...	...	...	...	2	0	0
20 „	25 „		...	...	...	...	2	8	0
25 „	30 „		...	...	...	...	3	0	0
30 „	35 „		...	...	...	...	3	8	0
35 „	40 „		...	...	...	...	4	0	0
40 „	45 „		...	...	...	...	4	8	0
45 „	50 „		...	...	...	...	5	0	0
50 „	60 „		...	...	...	...	6	0	0
60 „	80 „		...	...	...	...	7	8	0
80 „	100 „		...	...	...	...	9	0	0
	100 and over		...	...	...	...	10	0	0

The above charge includes all expenses, except when Peons are kept in charge of property distrained, in which case four annas must be paid daily for each man.

BYE-LAW No. TAKING OF A CENSUS.

B. M. I. Section 137 (1) (*c*).

1. An enumeration shall be made at such time and in such manner as the Commission, with the *previous* sanction of the Resident in Mysore *shall direct* of *all* persons who at the time of making such enumeration shall be within the Station.

2. One clear month previous to such enumeration being commenced, notice of the intention to make the same, with the date upon which it is intended to be made and all other necessary particulars, shall be published in *such manner as the Resident may direct.*

3. The President shall superintend the taking of such enumeration and shall appoint such enumerators and make such arrangements generally as may *be* necessary for the purpose of such enumeration.

4. Every enumerator or other person appointed for this purpose by the President shall leave at each place of residence within his district, four days at least before the time appointed for the collection of the completed Returns of Census, a blank schedule or return, to be of such form and containing such particulars as the Resident in Mysore *has* approved, to be filled up and signed by the owner, tenant or principal occupants of the said place of residence.

5. Any person wilfully neglecting or refusing correctly to fill up and affix his signature or mark to any such schedule or return so left at his place of residence, or who wilfully neglects or refuses to return the same to the enumerator or such other person when called upon so to do, or to furnish the necessary information to such enumerator or person to fill up the same for him if he do not know how to write, shall be liable to a fine not exceeding fifty rupees.

6. Such enumerator or person shall, if required, fill up all schedules or returns for those who are unable to write.

7. If any enumerator or other subordinate officer employed in the collection of such schedules or returns find any such schedule or return defective or in any respect improperly filled in he shall return the same to the person by whom it was made or signed, together with a written or printed notice requiring that the same be duly filled in or amended within a specified period not less than twenty-four nor more than forty-eight hours.

8. If such person fails so to fill in or amend any such schedule or return, he shall be liable to a fine not exceeding fifty rupees.

9. Every person in charge of a Lunatic Asylum, Hospital or Prison, or of any public or private charitable or scholastic institution, every keeper of an hotel or lodging house, shall if required by the President act as an enumerator for the purpose of taking account of persons under his command or charge or abiding in his house, on the night immediately preceding the day to be appointed for the making of such enumeration.

10. Every person so required to act as an enumerator shall conform to all instructions in writing which may be issued to him by the President in that behalf; and shall, in case of his refusal or neglect so to do, be liable to a fine not exceeding fifty rupees.

11. The President shall obtain, in such manner as appears to the Commission best adapted for the purpose and as is sanctioned by the Resident in Mysore, returns of the particulars required by this Bye-law with respect to all houseless persons and all persons who, during the said night preceding the day to be appointed for the making of such enumeration, were on out-door duty, or for any other reasons, were not abiding in any house of which account is to be taken by the enumerators.

BYE-LAW No. LODGING HOUSES.

B. M. L. Section 137 (1) *(d)*.

1. *Whenever it is certified by the Medical officer that any building or part of a building which is let in lodgings or occupied by members of more than one family, is so overcrowded as to endanger the health of the inmates thereof, the President, after such enquiry as he thinks fit to make, may by written order, require the owner of the building, within a reasonable time not exceeding six weeks, to be prescribed in the said order, to abate the overcrowding thereof by reducing the number of lodgers, tenants or other inmates of the said building.*

If the owner of the said building shall have sublet the same, the landlord of the lodgers, tenants or other actual inmates of the same shall, for the purposes of this Bye-law, be deemed to be the owner of the building.

It shall be incumbent on every tenant, lodger or other inmate of the building to vacate on being required by the owner so to do in pursuance of any such requisition.

2. Every house which is ordinarily used as a lodging house shall be registered in the office of the Commission, and a license for the same obtained by the keeper or manager thereof.

3. If it is certified by the Medical officer that the *house is by reason of overcrowding, uncleanliness, or the want of proper ventilation* unfit for a lodging house, the President *shall* refuse to grant such license *until the cause or causes of such unfitness have been removed.*

4. Every licensed lodging house shall be open to inspection at all reasonable times by the President, Medical officer or any other officer authorized by them, *not below the rank of overseer.*

5. Any person keeping a lodging house without a license as required by paragraph 2 or failing to comply with any order issued by the President under paragraph 1 shall be liable on conviction to a penalty not exceeding Rs. 50 and to a further penalty of Rs. 5 for every day *during which* such offence is continued after such conviction, and the President may on such conviction cancel the license.

BYE-LAW No. CAMPING GROUNDS.

B. M. L. Section 137 (1) (*e*) (i)

If any place is used as a Camping Ground in such a manner as to be dangerous or offensive to the neighbourhood, the President may *after such enquiry as he may consider sufficient*, require the persons so using it to take such measures as may be necessary to abate the nuisance, or may require such persons to leave the place within such time as he may consider reasonable. Any person disobeying any order given by the President under this Bye-law, shall be liable on conviction to a penalty not exceeding Rs. 10.

BYE-LAW No. INJURY OR DISFIGUREMENT OF PUBLIC PROPERTY OR BUILDINGS ADJOINING PUBLIC STREETS.

B. M. L. Section 137 (1) (*e*) (ii)

1. The President may by notice *in writing* require the occupier or owner of any premises to paint or plaster and whitewash or colorwash any building or wall therein which adjoins a public street or to cope any such wall with bricks or tiles, or to keep such building or wall in good repair *within fifteen days after such notice.*

2. *No person shall, without the consent of the owner or occupier, affix any posting-bill, placard or other paper or means of advertisement against or upon any building or wall or write upon, soil, deface or mark any such building or wall with chalk or paint or in any other way whatsoever, and no person shall dry bratties or cowdung cakes on the external wall of any house or yard adjoining a public street.*

3. *Any person failing to comply with a notice issued under paragraph 1 or infringing the provisions of paragraph 2 of this Bye-law shall, on conviction, be liable to a penalty not exceeding Rs. 50*

Bangalore Municipal Law, Section 137 (1) (*e*) (iii).

4. Any person destroying or in any way damaging any trees or Plants in Public gardens or on the sides of roads or cutting or rooting up grass, or in any way injuring the sides and embankment of roads, fences, parapet walls or any other Municipal property shall be liable on conviction to a penalty not exceeding Rs. 20.

BYE-LAW No. PRESERVATION OF WATER SUPPLY.

Bangalore Municipal Law, Sections 101 *and* 137 (1) (*e*) (vi).

Except as permitted in the preceding paragraph (or paragraphs) of this Bye-law, no person shall—

(a) bathe in or near any tank, reservoir, fountain, cistern, duct, standpipe or well belonging to the Commission ;

(b) wash or cause to be washed in or near any such place or work, any animal, clothes or other article ;

(c) throw, put or cause to enter into the water in any such place or work, any animal or other thing ; or

(d) cause or suffer to run or to drain into or upon any such place or work, or to be brought thereinto or thereupon anything, or do anything, whereby the water shall be in any degree fouled or corrupted—

No person shall—

(e) Steep in any tank, reservoir, well or ditch any animal, vegetable or mineral matter likely to render the water thereof offensive or dangerous to health ;

(f) whilst suffering from any contagious or loathsome disease, bathe in or near any tank reservoir, fountatin, cistern, duct, standpipe or well—

Whoever infringes any of the provisions of paragraph of this Bye-law shall be liable on conviction, to a penalty not exceeding rupees 50 for each offence.

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3 H. O. —1,000—11-10-97.

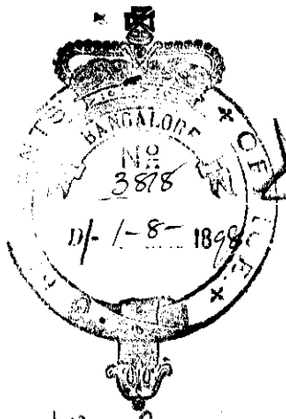
No. 2792.

Pub 496 97

CIVIL AND MILITARY STATION, BANGALORE,

MUNICIPAL OFFICE.

DATED 27 July 1898.



Rec'd 31/7

FROM

A. M. SLIGHT, ESQUIRE, I. C. S.,

PRESIDENT, MUNICIPAL COMMISSION,

C. & M. STATION, BANGALORE.

To

The FIRST ASSISTANT to the RESIDENT in MYSORE

B A N G A L O R E.

SIR,

With reference to your No.1051 dated 2nd March 1898, forwarding a revised draft of certain Bye-Laws which had been submitted for the Resident's confirmation and Notification in the Gazette of India, I have the honor to offer the following remarks for the consideration of the Resident.

Bye-Law under section 137.1.(i) B.M.L.

It is remarked in your letter that the fees for distraints seem to be too high. I beg to point out that the Schedule is exactly the same as that which has been in force hitherto under the Regulations of 1871 and 1883.

I may point out also that under the Calcutta Act fixed fees are charged on a similar scale except for sums under Rs.10. As these fees

are

are not levied unless distraint is actually made, the number of cases in which they are levied is very small. The proviso to section V although printed in the enclosure to your letter in italics is included in the draft approved by the Commissioners as per resolution No.2 dated 16th December 1897. Under these circumstances I would request that the Resident may be pleased to reconsider and confirm the Bye-Law as originally submitted.

Bye-Law under section 137 (1) (c)

There is no intention of taking a census before 1901, and as there are many other subjects on which Bye-Laws are urgently required, I would propose that the consideration of this Bye-Law be allowed to stand over. The Bye-Law was proposed in the course of going through the Law, and was copied from the Draft Bangalore Civil and Military Station Municipal Regulations of 1895.

Bye Law under section 137 (1) (d)

The amended draft given in the enclosure of your letter will be laid before the Commission for their approval in place of the original. At the same time I beg to bring to notice that the revised draft allows no provision for making orders to remove uncleanliness or want of ventilation after a License has once been granted, but makes these defects only a reason for refusing License; regarding the reference to sections 95 and 96, the filthy and unwholesome state referred to in 95, and the unfitness referred to in 96 seem to contemplate a very much worse state of affairs than it is desirable to allow as a limit of suitablity for a Lodging House, where not only the life and health of the occupier, but also the lives and health of the Lodgers in whose welfare the Occupier has no permanent interest, are at risk. I therefore propose in laying

it before the Commission to retain section 5 of the original draft, substituting " The President shall make" for "the President may make"

Bye-Law under section 137 (1) (e) (i)

The amended draft as per enclosure to your letter will be laid before the Commission for approval.

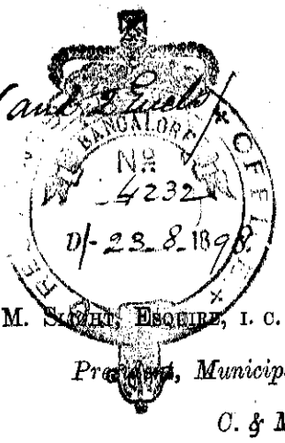
Bye-Law under section 137 (1) (e) (ii)

With reference to your remark upon para 2 of the draft, I have the honor to submit that clause (1) (e) (ii) of section 137 was at the time of drafting the present Law specially inserted at the instance of myself and the General Officer Commanding the Station with a view to preventing the use of walls and buildings adjoining public streets for affixing advertisement posters as well as for keeping them in good repair. If owners and occupiers of premises are allowed to use such walls and buildings for posting advertisements or to permit them to be so used, one of the main objects in view in the framing of this portion of the law will be defeated. Further in your letter it is remarked "that the amended wording of this section will have the advantage of preventing the fixing of posters on trees," but I would point out that in the amended draft, buildings and walls only are referred to, and moreover clause (1) (e) (ii) of section 137 gives no power regarding any place other than a building or wall. On this point I think there is a slight defect in the law which would be remedied by amending clause (1)(e)(iii) of Sec.137 so as to provide against defacement as well as injury of public property. This point will be referred to in my letter No 2796 dated 27th July 98 regarding defects which have been observed in the Law.

For these reasons I would suggest for the Resident's consideration that the revised draft be further amended by

4 R.O. 6 1,000—18-6-98

No. 3448 and 2 Encls.



CIVIL AND MILITARY STATION, BANGALORE,

MUNICIPAL OFFICE.

DATED 17 August 1898.

FROM

A. M. SCOTT, ESQUIRE, I. C. S.

President, Municipal Commission,

C. & M. Station, Bangalore.

To

The FIRST ASSISTANT to the RESIDENT in MYSORE,

BANGALORE.

SIR,

With reference to my letter No.2792 dated 27th Ultimo, I have the honor to inform you that the Draft Bye-Laws under sections 137 (1) (d) Lodging houses and 137 (1) (e) (i) Camping grounds, amended as indicated in letter quoted, were placed before the Commission at a Special Meeting on the 11th August 1898, and approved and to request that the Resident will be pleased to confirm and cause the same to be notified (a) in the Gazette of India as per Resolution No.4 of the Commission, copy of which is submitted herewith.

(a) As per accompanying copy of Notification.

I have the honor to be,

Sir,

Your most obedient servant,

J. Baker Captain,

for President.

NOTIFICATION.

No 3447 dt 17 August

In exercise of the powers conferred under sections 137 (1) (d) and 137 (1) (e) (i) of the Bangalore Municipal Law of 1897, the Municipal Commission for the Civil and Military Station of Bangalore have made the following Bye-Laws, and the same having been confirmed by the Resident in Mysore as required by section 139, they are hereby notified for public information under section 180 (3) of the said Law.

Sanitation and other purposes.

BYE-LAW No. LODGING HOUSES.

B. M. L. Section 137 (1) (d).

1. *Whenever it is certified by the Medical Officer that any building or part of a building which is let in lodgings or occupied by members of more than one family, is so overcrowded as to endanger the health of the inmates thereof, the President, after such enquiry as he thinks fit to make, may by written order, require the owner of the building, within a reasonable time not exceeding six weeks, to be pre*scribed in the said order, *to abate the overcrowding thereof by reducing the number of lodgers, tenants or other inmates of the said building.*

If the owner of the said building shall have sublet the same, the landlord of the lodgers, tenants or other actual inmates of the same shall, for the purposes of this Bye-law, be deemed to be the owner of the building.

It shall be incumbent on every tenant, lodger or other inmate of the building to vacate or being required by the owner so to do in pursuance of any such requisition.

2. Every house which is ordinarily used as a lodging house shall be registered in the office of the Commission, and a license for the same obtained by the keeper or manager thereof.

3. If it is certified by the Medical officer that the *house is by reason of overcrowding, want of cleanliness, or the want of proper ventilation* unfit for a lodging house, the President shall refuse to grant such license *until the cause or causes of such unfitness have been removed.*

4. Every licensed lodging house shall be open to inspection at all reasonable times by the President, Medical Officer or any other officer authorized by them, *not below the rank of Overseers.*

5. If the Medical Officer certifies that for want of proper cleanliness or ventilation the state of any such house is dangerous or injurious to the health of the inmates, the President may make such orders to remedy such defects as he may consider necessary.

6. Any person keeping a lodging house without a license as required by paragraph 2 or failing to comply with any order issued by the President under paragraph 1 shall be liable on conviction to a penalty not exceeding Rs. 50 and to a further penalty of Rs. 5 for every day *during which* such offence is continued after such conviction, and the President may on such conviction cancel the license.

Sanitation and other purposes.

BYE-LAW No. CAMPING GROUNDS.

B. M. L. Section 137 (1) (e) (i)

If any place is used as a Camping Ground in such a manner as to be dangerous or offensive to the neighbourhood, the President may *after such enquiry as he may consider sufficient,* require the persons so using it to take such measures as may be necessary to abate the nuisance, or may require such persons to leave the place within such time as he may consider reasonable. Any person disobeying any order given by the President under this Bye-law, shall be liable on conviction to a penalty not exceeding Rs. 10.

President Municipal Commission
Military Station Bangalore

Abstract of Proceedings of a Special Meeting of the Municipal Commissioners dated 11th August 1898.

Bye Laws under sections 137 (1) (d) and 137 (1) (i) Bangalore Municipal Law for reconsideration.

Proposed by the President, seconded by Dinshaw M. Billimoria that the Resident be asked to confirm the following amended Bye-Laws.

BYE-LAW No. LODGING HOUSES.

B. M. L. Section 137 (1) (d).

1. *Whenever it is certified by the Medical Officer that any building or part of a building which is let in lodgings or occupied by members of more than one family, is so overcrowded as to endanger the health of the inmates thereof, the President, after such enquiry as he thinks fit to make, may by written order, require the owner of the building, within a reasonable time not exceeding six weeks, to be prescribed in the said order, to abate the overcrowding thereof by reducing the number of lodgers, tenants or other inmates of the said building.*

If the owner of the said building shall have sublet the same, the landlord of the lodgers, tenants or other actual inmates of the same shall, for the purposes of this Bye-law, be deemed to be the owner of the building.

It shall be incumbent on every tenant, lodger or other inmate of the building to vacate on being required by the owner so to do in pursuance of any such requisition.

2. Every house which is ordinarily used as a lodging house shall be registered in the office of the Commission, and a license for the same obtained by the keeper or manager thereof.

3. If it is certified by the Medical officer that the *house is by reason of overcrowding, uncleanliness, or the want of proper ventilation* unfit for a lodging house, the President *shall* refuse to grant such license *until the cause or causes of such unfitness have been removed.*

4. Every licensed lodging house shall be open to inspection at all reasonable times by the President, Medical Officer or any other officer authorized by them, *not below the rank of Overseer.*

5. If the Medical Officer certifies that for want of proper cleanliness or ventilation the state of any such house is dangerous or injurious to the health of the inmates, the President may make such orders to remedy such defects as he may consider necessary.

6. Any person keeping a lodging house without a license as required by paragraph 2 or failing to comply with any order issued by the President under paragraph 1 shall be liable on conviction to a penalty not exceeding Rs. 50 and to a further penalty of Rs. 5 for every day *during which* such offence is continued after such conviction, and the President may on such conviction cancel the license.

BYE-LAW No. CAMPING GROUNDS.

B. M. L. Section 137 (1) (e) (i).

If any place is used as a Camping Ground in such a manner as to be dangerous or offensive to the neighbourhood, the President may, *after such enquiry as he may consider sufficient,* require the persons so using it to take such measures as may be necessary to abate the nuisance, or may require such persons to leave the place within such time as he may consider reasonable. Any person disobeying any order given by the President under this Bye-law, shall be liable on conviction to a penalty not exceeding Rs. 10.

RESIDENT'S OFFICE

Serial No. 5

File No. 498/97

[DRAFT].—For approval.

No. 4614 S

Dated 9th Septr 1898. T

The Chairman, Munl Commrs,
C. & M. Station, Bangalore.

Sir,

I am directed to reply to your letter No. 2792 of the 27/28th July last for the consideration of the Resident certain remarks with reference to the revised draft of bye-laws forwarded with your letter No. 1051 of the 2nd March 1898, and also to your letter No. 3448 of the 17/18th ultimo submitting bye-laws under secs 137(d) and 137 (I)(e)(i) for confirmation by the Resident.

Bye-law under Sec. 137 (I)(i) B.M.I.

The Resident still thinks that the rates of fees for distraints are high, but will not insist on their reduction

and he has confirmed the bye-law as originally submitted.

Bye-law under Sec. 137(I)(C) B.M.I.

Col. Robertson has no objection to this bye-law ~~being allowed to stand over~~ Standing over.

Bye-law under Sec. 137(I)(d) B.M.I.

If after "license" in the 3rd rule of this bye-law the following words, namely, "or if a license has been granted he shall suspend it" had been inserted there would have been no ~~to~~ need for rule 5 of the original draft. However, as the Commission has chosen to retain the provision of that rule the Resident has confirmed this bye-law as now submitted, as also the bye-law under sec. 137(I)(e)(i) regarding camping grounds.

Bye-law under Sec. 137(I)(e)(ii) B.M.I.

With the explanation now afforded as to the special object in view in inserting

inserting clause (I)(e)(ii) of sec. 137 in the present Law, Col: Robertson has no objection to the bye-law being further amended in the way suggested by you.

Bye-law under sec. 137(I)(e)(vi)

This bye-law may remain in abeyance as proposed by you pending the settlement of the question as to what places should be set apart for bathing and washing purposes under sec. 101 of the Municipal Law.

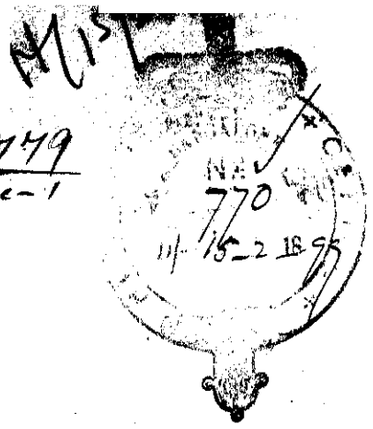
I have &c

7-9

First Asst Resident

AHR

No. 9749
Encl-1



CIVIL AND MILITARY STATION, BANGALORE.

MUNICIPAL OFFICE.

DATED 13th February 1899.
14

FROM

A. M. SLIGHT, ESQUIRE, I. C. S.,

President, Municipal Commission,

C. & M. Station, Bangalore.

To

The First Assistant to the Resident in Mysore

BANGALORE

SIR,

sl5

With reference to your letter No. 4614 / 496.97 dated 9th September 1898 ~~ultimo~~, I have the honor to forward herewith for notification in the Gazette of India the Bye Law under section 137(1)(i) Bangalore Municipal Law 1897, as confirmed by the Resident.

I have the honor to be,

Sir,

Your most obedient servant

J Baker Captain

For President.

Supply to the publisher
Gaz.
(from the bye-laws ... please see pages ... of 1)
18/2/99

N O T I F I C A T I O N

No 9806 Dy 14th January 1899

In exercise of the powers conferred under section 137 (1)(i)of the Bangalore Municipal Law of 1897, the Municipal Commissioners for the Civil and Military Station of Bangalore have made the following Bye Law and the same having been confirmed by the Resident in Mysore as required by section 139, it is hereby notified for public information under section 180(3) of the said Law.

T A X A T I O N

Bye Law No. Demand and Collection

Bangalore municipal Law 137(1)(i)

5.For every notice of demand served under section186(b)fees shall be levied at the following rates.

Less than Rs.5-- ---------- -----------1 anna

Not less than Rs.5 but less than Rs.10----------2 annas

- ----,,------ 10-------,,-------- 50------ - - ---4---,,-

- ----,,------ 50-------,,-------- 100---------- 8---,,-

100 and over------- ---------- Re.1

Provided that if sufficient cause for non-payment is shown to the satisfaction of the President, the fee may be remitted.

6. For every distraint made under section 186(c), fees shall be levied at the following rates:-

Sums distrained for			Fees
Under 5 Rupees---	---	---	0-8-0
5 and under 10 Rupees---	---	---	1-0-0
10----,,----	15 ,, ---	---	1-8-0
15 ,,	20 ,, ---	---	2-0-0
20 ,,	25 ,, ---	---	2-8-0
25 ,,	30 ,, ---	---	3-0-0
30 ,,	35 ,, ---	---	3-8-0
35 ,,	40 ,, ---	---	4-0-0
40 ,,	45 ,, ---	---	4-8-0
45 ,,	50 ,, ---	---	5-0-0
50 ,,	60 ,, ---	---	6-0-0
60 ,,	80 ,, ---	---	7-8-0
80 ,,	100 ,, ---	---	9-0-0
	100 and over	---	10-0-0

The above charge includes all expenses, except when Peons are kept in charge of property distrained, in which case four annas must be paid daily for each man.

President, Municipal Commission,
Civil & Military Station Bangalore.

RESIDENT'S OFFICE.

Serial No. 7

File No. 486/97

[DRAFT].—For approval.

No. 815.

Dated 24th Feby 1899.

To

11/24/r S. 6/a

[Here enter Notification No. 980b dated 14/2/99 forwarded by the President- Sl. 6/A]

Copy forwarded to the Publisher Gazette of India, for publication in part II of the Gazette.

24/r
First Asst. Residen

M.
18/2/99. 19/r

No. 7696

Encl 4

CIVIL AND MILITARY STATION, BANGALORE,

MUNICIPAL OFFICE.

DATED 5th February 1900.

FROM

L. T. HARRIS, ESQUIRE, C. S.,

President, Municipal Commission,

C. & M. Station, Bangalore.

TO

The First Assistant to the Resident in Mysore

Bangalore.

SIR,

S. 5

With reference to correspondence ending with your letter No: 1614/496-97, dated 9th September 1898, I have the honor to inform you that the Bylaw under Section 137 (c) (e) (ii) therein referred to providing against injury and disfigurement of public property &c. was redrafted in the light of the remarks contained in my No: 2792 dated 27th July 1898, and published in the Daily Post inviting objections under Section 180 (1).

2

2. No objections were received and the draft bye-law was approved by the Commission at the Special Meeting held on the 25th January 1900, vide copy of Resolution No. 3 of that date.

3. I have now to request that the Resident will be pleased to sanction the Bye-law as now approved and cause the same published in the Gazette of India as per copy of Notification herewith.×

× with 2 spare copies of the bye-law.

I have the honor to be,

Sir,

Your Most Obedient Servant.

President, Municipal Commission,
Civil & Military Station Bangalore.

Abstract of Proceedings of a Special meeting of the Municipal Commissioners for the Civil and Military Station of Bangalore, held at the Mayo Hall at 9 a.m., on Thursday the 25th January 1900.

3. Resolution no: 5 of the Commission, dated 14-12-99 approving certain Bye-laws prohibiting injury or disfigurement of public property or buildings adjoining public Streets.

Notice No: 6538 dated 19-12-99 publishing the above and inviting objection and objections received.

Resolved that the following Bye-law draft of which was published under Notice no: 6538 dated 19th December 1899 and to which no objection has been re-

...ecimd lee submitted to the B... [illegible]

...ngi...mi...tare.

Byelaw No. Injury or disfigurement of public property or buildings adjoining public streets.

Bangalore Municipal Law, Section 137 (i) (e) (ii).

1. The President may by notice in writing require the occupier or owner of any premises to paint or plaster and whitewash or colorwash any building or wall therein which adjoins a public street or to cope any such wall with bricks or tiles or to keep such building or wall in good repair within fifteen days after such notice.

2. No person shall without the written permission of the President and the consent of the owner and occupier use any building or wall adjoining a street for the purpose of affixing advertising posters.

3. No person shall without the consent of the owner or occupier affix any placard or other paper or means of advertisement against or upon any building or wall or trees on the public road or write upon, soil, deface or mark any such building or wall or trees with chalk, or paint or in any other way whatsoever

4. No person shall dry Bratties or cowdung cakes on the external wall of any house or yard adjoining a public street.

Bangalore Municipal Law, Section 137 (i) (e) (iii).

5. Any person destroying or in any way damaging or disfiguring any trees or plants in public gardens or on the sides of roads or cutting or rooting up grass, or in any way injuring the sides and embankment of roads, fences, parapetwalls or any other Municipal Property shall be liable on conviction to a penalty not exceeding Rs. 20.

(Signed) L. J. Harris

President

Copy

T. Ballw. Captain

Secretary

Civil and Military Station,

Bangalore.

Municipal Office.

No: 7697 Dated 5th [illegible]

Notification

In exercise of the powers conferred under Sections 137 (1) (e) (ii) and 137 (1) (e) (i) of the Bangalore Municipal Law of 1897, the Municipal Commission for the Civil and Military Station of Bangalore have made the following Bye-law, and the same having been confirmed by the Resident in Mysore, as required by Section 139, it is hereby notified for public information under Section 180 of the said Law.

Civil and Military Station

Bangalore.

Municipal Office.

No: 7697 Dated 5th February

Notification

In exercise of the powers conferred under Sections 137 (1) (e) (ii) and 137 (1) (e) (iii) of the Bangalore Municipal Law of 1897, the Municipal Commission for the Civil and Military Station of Bangalore have made the following Bye-law, and the same having been confirmed by the Resident in Mysore, as required by Section 139, it is hereby notified for public information under Section 18 of the said Law.

Sanitation and other purposes.

Byelaw No. Injury or disfigurement of public property or buildings adjoining public streets.

Bangalore Municipal Law, Section 137 (i) (e) (ii).

1. The President may by notice in writing require the occupier or owner of any premises to paint or plaster and whitewash or colorwash any building or wall therein which adjoins a public street or to cope any such wall with bricks or tiles or to keep such building or wall in good repair within fifteen days after such notice.

2. No person shall without the written permission of the President and the consent of the owner and occupier use any building or wall adjoining a street for the purpose of affixing advertising posters.

3. No person shall without the consent of the owner or occupier affix any placard or other paper or means of advertisement against or upon any building or wall or trees on the public road or write upon, soil, deface or mark any such building or wall or tree with chalk, or paint or in any other way whatsoever

4. No person shall dry Bratties or cowdung cakes on the external wall of any house or yard adjoining a public street.

Bangalore Municipal Law, Section 137 (i) (e) (iii).

5. Any person destroying or in any way damaging or disfiguring any trees or plants in public gardens or on the sides of roads or cutting or rooting up grass, or in any way injuring the sides and embankment of roads, fences, parapetwalls or any other Municipal Property shall be liable on conviction to a penalty not exceeding Rs. 20.

President, Municipal Commission,
Civil & Mili... ...on Bangalore.

ccw

RESIDENT'S OFFICE.

Serial No. 9

2L 496

97

[DRAFT.]—For approval.

No. 1039. Ex. 1.

Dated 28 July 1900. To

The President, Munl Comm
C. and M. Station, Bangalore

Sir,

I am directed to acknowledge the receipt of your letter No. 7696 of the 5th instant, submitting for the Resident's confirmation bye-laws under section 137(1)(e)(ii) and (iii) of the Bangalore Munl Law, 1897.

2. In reply, I am to observe that the draft bye-law under section 137(1)(e)(ii) prescribes no penalty for infringement of the provisions of rules 1 to 4. The words "or disfigure" in rule 5 should be omitted.

(A clause prescribing a penalty has been added)

~~Rules may be clubbed together~~ under

sec. 137(1)(c)(ii) and (iii) of the Income law and this has been done,

I am ~~therefore~~ to enclose a

revised draft of the Rules for the consideration

of the Income Commr., and to point

out that the addition of a penalty

being a substantial change in the Rules already published

clause makes republication of

the draft under sec. 180(1) of the

Income law, necessary.

I have etc

D.V.7/11a

First Asst. Resident

AH
12.00.

Revised Draft

Civil and Military Station, Bangalore.

MUNICIPAL OFFICE

:o:

No. 6538 dated 19th December 1899.

NOTICE.

Is hereby given under Section 180 Bangalore Municipal Law, 1897, that the following Revised Draft Byelaw having been approved by the Municipal Commission for the Civil and Military Station of Bangalore will be taken into consideration with a view to its being made into Byelaw on or after 25th January 1900, together with any objection thereto, which may be received before that date.

Byelaw No. Injury or disfigurement of public property or buildings adjoining public streets.

Bangalore Municipal Law, Section 137 (i) (e) (ii) and (iii)

1. The President may by notice in writing require the occupier or owner of any premises to paint or plaster and whitewash or colorwash any building or wall therein which adjoins a public street or to cope any such wall with bricks or tiles or to keep such building or wall in good repair within fifteen days after such notice.

2. No person shall without the written permission of the President and the consent of the owner and occupier use any building or wall adjoining a street for the purpose of affixing advertising posters.

3 No person shall without the consent of the owner or occupier affix any placard or other paper or means of advertisement against or upon any building or wall or trees on the public road or write upon, soil, deface or mark any such building or wall or tree with chalk, or paint or in any other way whatsoever

4. No person shall dry Bratties or cowdung cakes on the external wall of any house or yard adjoining a public street.

~~5. Bangalore Municipal Law, Section 137 (i) (e) (iii).~~

6. Any person destroying or in any way damaging ~~or disfiguring~~ any trees or plants in public gardens or on the sides of roads or cutting or rooting up grass, or in any way injuring the sides and embankment of roads, fences, parapetwalls or any other Municipal Property shall be liable on conviction to a penalty not exceeding Rs. 20.

~~Resolved that the amended Byelaw be recommended for adoption by the Commission.~~

~~(Signed) L. T. HARRIS,~~
~~President.~~

5. Any person failing to comply with a notice issued under rule 1 or infringing the provisions of rules 2 to 4 of this Bye-law shall, on conviction, be liable to a penalty not exceeding Rs 20

No. 1611 Mun. Comm.

#1416

CIVIL AND MILITARY STATION, BANGALORE

MUNICIPAL OFFICE.

DATED 2nd June 1900

FROM

RESIDENT'S OFFICE, BANGALORE.
Register No. 2848
Date of Receipt 4.6.00
File No. 496
97

L. T. HARRIS, ESQUIRE, I. C. S.,
President, Municipal Commission,
C. & M. Station, Bangalore.

To

The First Assistant to the Resident
in Mysore
Bangalore.

SIR,

Under the provisions of section 31 (2) of the Bangalore Municipal Law of 1897, I have the honor to forward herewith copy of Minutes of Proceedings of a Special Meeting of the Municipal Commission for the Civil and Military Station of Bangalore held on the 31st May 1900.

I have the honor to be,
Sir,
your most obedient servant

L. T. Harris
President, Municipal Commission,
Civil & Military Station Bangalore.

H. O.
100—15—8—1900.
40

CIVIL AND MILITARY STATION BANGALORE MUNICIPALITY.

Abstract of Proceedings of ~~an Ordinary~~ a Special Meeting of the Municipal Commissioners, for the Civil and Military Station of Bangalore, held at the MAYO HALL, at ~~7.30~~ 2 p. m., on Thursday the 31st day of May 1900.

—o—

President.

L. T. HARRIS, Esq., I. C. S.

Vice-President.

J. O'SHAUGHNESSY, Esq.

} Present

Ex-Officio Commissioners.

PRESENT.	ABSENT.
Capt. O. Carr White I.M.S. Staff Surgeon.	The Residency Surgeon.
Capt. H. L. Rosher D. Yd. Asst. Commy. Gen'l	" Dist. Superintendent of Police.
Major G. Williams R.E. Commg. Royal Engineer, Bangalore.	
Mr. Abdul Rahiman Saib Retd. 2nd Magistrate.	
Capt. T. Baker Secretary Mun'l Commission.	

Elected Commissioners.

PRESENT.	ABSENT.
J. H. Webster Esq	W. H. Johnson Esq
Aga Abbas Ali Saib	P. L. Bride Esq
Mohiudeen Khan Saib	H. Abraham Esq
Murray K. O. Anna Saheb Avergy Guru and Rk.	A. S. Andrew Esq
Diwan M. Billimoria Esq	Murray V. Sadasiva Mudr. and
Murray A. R. Chelvaraya Mudr. and	" Mr. Venkataswami Garu
" Col. Suryanarayana Rao Garu	" V. Gungattara Chettyar and
" V. Sundralinga Chettyar	

draft Byelaw under Section
(1) (e)(ii)+(iii), and providing against
injury or disfigurement of pub
property and buildings adjoining
public streets.

Notice no: 159 dated 6th April 1900
publishing the above and invit
objections

Proposed by the President th
the following Byelaw, draft of
which was published under
notice no: 159 dated 6th April 1900,
and to which no objections hav
been received, be submitted to
Honorable the Resident for co
firmation under section 180 (1) (
Law.

Byelaw No. Injury or disfigurement of public property or buildings adjoining public streets.

Bangalore Municipal Law, Section 137 (1) (e) (ii) and (iii).

1. The President may by notice in writing require the occupier or owner of any premises to paint or plaster and whitewash or color wash any building or wall therein which adjoins a public street or to cope any such wall with bricks or tiles or to keep such building or wall in good repair within fifteen days after such notice.

2. No person shall without the written permission of the President and the consent of the owner and occupier use any building or wall adjoining a street for the purpose of affixing advertising posters.

3. No person shall without the consent of the owner or occupier affix any placard or other paper or means of advertisement against or upon any building or wall or trees on the public road or write upon, soil, deface or mark any such building or wall or tree with chalk, or paint or in any other manner whatsoever.

4. No person shall dry Bratties or cow dung cakes on the external wall of any house or yard adjoining a public street.

5. Any person failing to comply with a notice issued under Rule 1 or infringing the provisions of Rules 2 to 4 of this Bye Law shall, on conviction, be liable to a penalty not exceeding Rs. 50.

6. Any person destroying or in any way damaging or disfiguring any trees or plants in public gardens or on the sides of roads or cutting or rooting up grass, or in any way injuring the sides and embankment of roads, fences, parapet walls or any other Municipal property shall be liable on conviction to a penalty not exceeding Rs. 20.

emption from payment of tax on
animals kept solely for purpose
agriculture, and Presidents no: 1
dated 11th May 1900 thereon.

Resolution – Rejected.

3. Resolution no: 1 of the Commis
dated 15th February 1900 that u
the provisions of section 46 (
Bills Law 1897, exemption fro
payment of tolls be made in
favor of Municipal and Pol
officers proceeding on duty
Letter no: 8248 dated 24th Febr
1900 from the President to the
First Assistant Resident a
his reply thereto no: 2176/439.99 dat
7th May 1900.

Resolution – Recorded.

4. Resolution no: 2 of the Commis
dated 15th February 1900, that
the provisions of section 46 (2
Bills Law, exemption from payme
of tax be made in favor of certa
classes of animals and vehicle

on the subject.

Resolved that the wording
clause (ii) of Resolution no: 2
1st February 1900 be amende
as follows:

" Vehicles kept by carriage
"builders or dealers and anim
" kept by dealers therein, solel
" for sale."

(Sd) L. J Harris
President

" "

" Copy "

J. Baker. Captain
Secretary.

RESIDENT'S OFFICE.

Serial No. 11
File No. 496
97

[DRAFT.]—For approval.
No. 2809.

Dated 13th June 1900. To

The President, Munl. Commrs, C. and M. Station, Bangalore.

Sir,

I am directed to acknowledge the receipt of your letter No. 1671, dated the 2nd instant, forwarding a copy of the minutes of proceedings of ~~the~~ a special meeting of the Municipal Commrs held on the 31st ultimo.

Sl. 10

2. With reference to the

revised bye-law under

Sec. 137(1)(e)(ii) and (iii) of

the Bangalore Municipal

Law, 1897, regarding injury

or disfigurement of public

property or buildings ad-

joining public streets,

now submitted for con-

firmation, I am to

observe that the words

"or disfiguring" in rule

6 thereof should have

been omitted as pointed

out in para: 2 of this

office letter No. 1039 dated

the 28th February 1900 -

Subject to this modification

the bye-law has been

confirmed by the Resident

draft

(Continuation of ~~Note or Precis~~).

3. The resolution N.o 2 of the Commission dated the 15.th February 1900, regarding the exemption of certain classes of vehicles and animals from the payment of tax, ~~as demanded by tax~~, as amended by them at their special meeting of the 31.st ultimo, has also been confirmed.

I have etc

[signature]

First Asst Resident

9/6/00

No. 1786

RESIDENT'S OFFICE, BANGALORE.
Register No. 2988
Date of Receipt 13-6-00
File No. 496

Enc 2

From

L. T. Harris, Esquire, I. C. S.,

President, Municipal Commission,

C. & M. Station, Bangalore.

CIVIL AND MILITARY STATION, BANGALORE,

MUNICIPAL OFFICE.

DATED 12th June 1900

To

The First Assistant to the Resident in Mysore,

Bangalore.

Sir,

With reference to your letter No: 1039 dated 28th February 1900, I have the honor to inform you that the revised Byelaw providing against injury and disfigurement of public property was republished under section 180(1) of the Bangalore Municipal Law of 1897 and objections thereagainst invited. No objections have been received and the Byelaw was placed before the Commission at a Special Meeting on the 31st May 1900 and approved. I request that the Resident will be pleased to confirm the same and cause it to be notified in the Gazette of India (a)

2. Copy of Resolution No:1 dated 31st May 1900 on the subject is forwarded herewith for information.

I have the honor to be,

Sir,

Your most obedient servant,

L. T. Harris

President, Municipal Commission,
Civil & Military Station Bangalore.

Bangalore

Municipal Office

No 1787 Dated 12th June 1902

Notification

In exercise of the powers conferred under section 137 (1) (e) (ii) & (iii) of the Bangalore Municipal Law of 1897, the Municipal Commission for the Civil & Military Station of Bangalore have made the following Bye-law and the same having been confirmed by the Resident in Mysore as required by section 139, it is hereby notified for public information under section 180 of the said Law.

Sanitation & other Purposes

Bye-law No. Injury or disfigurement of public property or buildings adjoining public streets.

Bangalore Municipal Law, Section 137 (i) (e) (ii) and (iii).

1. The President may by notice in writing require the occupier or owner of any premises to paint or plaster and whitewash or color wash any building or wall therein which adjoins a public street or to cope any such wall with bricks or tiles or to keep such building or wall in good repair within fifteen days after such notice.

2. No person shall without the written permission of the President and the consent of the owner and occupier use any building or wall adjoining a street for the purpose of affixing advertising posters.

3. No person shall without the consent of the owner or occupier affix any placard or other paper or means of advertisement against or upon any building or wall or trees on the public road or write upon, soil, deface or mark any such building or wall or tree with chalk, or paint or in any other way whatsoever.

4. No person shall dry Bratties or cow dung cakes on the external wall of any house or yard adjoining a public street.

5. Any person failing to comply with a notice issued under Rule 1 or infringing the provisions of Rules 2 to 4 of the Bye Law shall, on conviction, be liable to a penalty not exceeding Rs. 50.

6. Any person destroying or in any way damaging or disfiguring any trees or plants in public gardens or on the sides of roads or cutting or rooting up grass, or in any way injuring the sides and embankment of roads, fences, parapet walls or any other Municipal property shall be liable on conviction to a penalty not exceeding Rs. 20.

President, Municipal Commission,
Civil & Military Station Bangalore.

extract of proceedings of Special Meeting of the Municipal Commissioners, for the Cantonment of Bangalore, held at the Mayo Hall, at 9 a.m, on Thursday the 31st May 1900.

× × ×

1 Resolution no: 1 of the Commissioner dated 3rd April 1900, approving of a draft Byelaw under section 137 (1)(e)(ii) & (iii), and providing against injury or disfigurement of Public property and buildings adjoining public streets.

Notice no: 159 dated 6th April 1900 publishing the above and inviting objections.

Proposed by the President that the following Byelaw draft of which was published under notice no: 159 dated 6th April 1900 and to which no objections have been received, be submitted to the Honorable the Resident for confirmation under section 180 (1) Cantt Law.

Byelaw No. Injury or disfigurement of public property or buildings adjoining public streets.

Bangalore Municipal Law, Section 137 (i) (e) (ii) and (iii).

1. The President may by notice in writing require the occupier or owner of any premises to paint or plaster and whitewash or color wash any building or wall therein which adjoins a public street or to cope any such wall with bricks or tiles or to keep such building or wall in good repair within fifteen days after such notice.

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4. No person shall dry Bratties or cow dung cakes on the external wall of any house or yard adjoining a public street.

5 Any person failing to comply with a notice issued under Rule 1 or infringing the provisions of Rules 2 to 4 of the Bye Law shall, on conviction, be liable to a penalty not exceeding Rs. 50.

6. Any person destroying or in any way damaging or disfiguring any trees or plants in public gardens or on the sides of roads or cutting or rooting up grass, or in any way injuring the sides and embankment of roads, fences, parapet walls or any other Municipal property shall be liable on conviction to a penalty not exceeding Rs. 20.

Resolution Carried unanimously

× × ×

(Sd) V. V. Harris

President

"Copy"

Bdu. Captain

ere Com.

No. 1957

Enc 1

RESIDENT'S OFFICE, BANGALORE.
Register No. 3038
Date of Receipt 18-6-00
File No. 496
97

CIVIL AND MILITARY STATION, BANGALORE,
MUNICIPAL OFFICE.
DATED 15th June 1900.

FROM

L. T. HARRIS, ESQUIRE, I. C. S.,
President, Municipal Commission,
C. & M. Station, Bangalore.

To

The First Assistant to the Resident in Mysore,
Bangalore.

SIR,

With reference to para 2 of your letter No: 2809 (S) 496·97 dated 13th instant, and in continuation of my letter No: 1786 dated 10th (12) idem, I have the honor to point out that in Rule 6 of the Byelaw therein referred to, the words "or disfiguring" were not omitted, as these words were allowed to remain in the revised draft of the Byelaw forwarded with your letter No: 1039 (S) 496·97 dated 28th February 1900. I now however forward herewith notification No: 1787 (a) dated 12th June 1900 duly revised, with the words "or disfiguring" expunged from Rule 6, and request that the same may be notified in the Gazette of India.

(a) (Forwarded with No: 1786 dated 10/12th June 1900 referred to above)

I have the honor to be,
Sir,
your most obedient servant,

President, Municipal Commission,
Civil & Military Station Bangalore.

Municipal Office

ors 1787 Dated 12 July 19[illegible]

Notification.

In exercise of the powers conferred under section 137 (1) (ii) + (iii) of the Bcb Law 1897, the Municipal Commissioner for the Civil + Military station of Bangalore have made the following Bye-law and the same having been confirmed by the Resident in Mysore as required by section 139, it is hereby notified for public information under section 180 (3) of the said Law.

Sanitation and otherwise [illegible]

Byelaw No. Injury or disfigurement of public property or buildings in adjoining public streets.

Bangalore Municipal Law, Section 137 (i) (e) (ii) and (iii).

1. The President may by notice in writing require the occupier or owner of any premises to paint or plaster and whitewash or color wash any building or wall therein which adjoins a public street or to cope any such wall with bricks or tiles or to keep such building or wall in good repair within fifteen days after such notice.

2. No person shall without the written permission of the President and the consent of the owner and occupier use any building or wall adjoining a street for the purpose of affixing advertising posters.

3. No person shall without the consent of the owner or occupier affix any placard or other paper or means of advertisement against or upon any building or wall or trees on the public road or write upon, soil, deface or mark any such building or wall or tree with chalk, or paint or in any other way whatsoever.

4. No person shall dry Bratties or cow dung cakes on the external wall of any house or yard adjoining a public street.

5. Any person failing to comply with a notice issued under Rule 1 or infringing the provisions of Rules 2 to 4 of the Bye Law shall, on conviction, be liable to a penalty not exceeding Rs. 50.

6. Any person destroying or in any way damaging ~~or disfiguring~~ any trees or plants in public gardens or on the sides of roads or cutting or rooting up grass, or in any way injuring the sides and embankment of roads, fences, parapet walls or any other Municipal property shall be liable on conviction to a penalty not exceeding Rs. 20.

President, Municipal Commission,
Civil & Military Station Bangalore.

PRESIDENT'S OFFICE.

Serial No. 14

File No. 496/97

[DRAFT.]—For approval.

No. 3040 - 496-97

Dated 27th June 1900.

~~To~~

[Here enter notification No- 1787 dated 12/6/00 forwarded by the President Sl- 13/A]

Copy forwarded to the Publisher, Gazette of India, for publication in part II of the Gazette-

25/VI/00

First Assistant Resident

22/6/00.

Placed in files 359 & 496/97

No. 231 Enclo: 1

RESIDENT'S OFFICE, BANGALORE.
Register No. 3348
Date of Receipt 2.7.00
File No. 496/97

H. O. 300—10—1—1900.

From

L. T. Harris, Esquire, I. C. S.,
President, Municipal Commission,
Civil and Military Station, Bangalore.

To

The First Assistant to the Resident in Mysore,
Bangalore.

Sir,

Under the provisions of Section 31 (2) B M Law of 1897, I have the honor to forward herewith copy of Minutes of Proceedings of a Special Meeting of the Municipal Commission for the Civil and Military Station of Bangalore held on the 28th June 1900.

I have the honor to be,
Sir,
Your most obedient servant,

President, Municipal Commission,
Civil & Military Station Bangalore.

It is respectfully submitted that the Bye-Law about Census does not Correspond with the Code of Census procedure - (Attch). The point whether the Bye-Law about census under the Municipal Law is necessary will be noted on by the office as soon as the file is returned by the First Assistant Resident.

5/7/00.

Kindly see paras 81 & 82 of office Manual

7/7/00

H. O.
40 100—15—8—1900.

CIVIL AND BANGALORE MILITARY STATION

MUNICIPALITY.

Abstract of Proceedings of ~~an Ordinary~~ a Special Meeting of the Municipal Commissioners, for the Civil and Military Station of Bangalore, held at the MAYO HALL, at ~~7-30~~ 8.30 a. m., on Thursday the 28th June 1900.

President.

L. T. HARRIS, Esq., I. C. S.

Vice-President.

J. O'SHAUGHNESSY, Esq.

} Present.

Ex-Officio Commissioners.

PRESENT.	ABSENT.
Col. A. F. Dobson I. Med. S. Residency Surgeon.	The Staff Surgeon.
Major C. William R. E. Commg. Royal Engr. Bangalore	" Dy. Asst. Adjutant Genl. Bangalore Dist.
Edw. Newerson Esq.	" Secretary, Mil. Commn. & Cantt. Station.
Asst. Supdt. of Police.	
Abdul Rahman Saib B.A. Second Magistrate.	

Elected Commissioners.

PRESENT.	ABSENT.
H. Johnson Esq	H. Abraham Esq
D. L. Bride Esq	A. S. Andrews Esq
H. Webster Esq	Mohideen Khan Saib
Agha Abbas Ali Saib	Rev. V. Sadasiva Mood. Avl.
Rev. Venkataswami Saib	" V. Sangattara Chetty Avl. B.A.
D. O. Annaswami Mood. Avl. B.A.	" A. R. Chelvarayan Mood. Avl.
M. Billimoria Esq	" V. Sundralinga Chetty Avl.
Rev. Col. Suryanarayana Rao Garu	

1. Recommendation no: 2 of the Commission dated 3rd May 1900, approving of Draft Byelaw on "Taking of a Census".

(Rec. with President's No. 2317 dated 28th June 1900)

Notice no: 1046 dated 9th May 1900 publishing the above and inviting objections.

Proposed by the President that the following Byelaw draft of which was published under notice no: 1046 dated 9th May 1900 and to which no objections have been received, be submitted to the Honorable the Resident for confirmation under section 180 (1) B. M. Act.

CHAPTER III—*Continued.*

SANITATION AND OTHER PURPOSES.

BYE-LAW No. TAKING OF A CENSUS.

B. M. Section 137 (1) (c).

1. An enumeration shall be made at such time and in such manner as the Commission, with the *previous* sanction of the Resident in Mysore *shall direct* of *all* persons who at the time of making such enumeration shall be within the Station.

2. One clear month previous to such enumeration being commenced, notice of the intention to make the same, with the date upon which it is intended to be made and all other necessary particulars, shall be published in *such manner as the Resident may direct.*

3. The President shall superintend the taking of such enumeration and shall appoint such enumerators and make such arrangements generally as may *be* necessary for the purpose of such enumeration.

4. Every enumerator or other person appointed for this purpose by the President shall leave at each place of residence within his district, four days at least before the time appointed for the collection of the completed Returns of Census, a blank schedule or return, to be of such form and containing such particulars as the Resident in Mysore *has* approved, to be filled up and signed by the owner, tenant or principal occupants of the said place of residence.

5. Any person wilfully neglecting or refusing correctly to fill up and affix his signature or mark to any such schedule or return so left at his place of residence, or who wilfully neglects or refuses to return the same to the enumerator or such other person when called upon so to do, or to furnish the necessary information to such enumerator or person to fill up the same for him if he do not know how to write, shall be liable to a fine not exceeding fifty rupees.

6. Such enumerator or person shall, if required, fill up all schedules or returns for those who are unable to write.

7. If any enumerator or other subordinate officer employed in the collection of such schedules or returns find any such schedule or return defective or in any respect improperly filled in he shall return the same to the person by whom it was made or signed, together with a written or printed notice requiring that the same be duly filled in or amended within a specified period not less than twenty-four nor more than forty-eight hours.

8. If such person fails so to fill in or amend any such schedule or return, he shall be liable to a fine not exceeding fifty rupees.

9. Every person in charge of a Lunatic Asylum, Hospital or Prison, or of any public or private charitable or scholastic institution, every keeper of an hotel or lodging house, shall if required by the President act as an enumerator for the purpose of taking account of persons under his command or charge or abiding in his house, on the night immediately preceding the day to be appointed for the making of such enumeration.

10. Every person so required to act as an enumerator shall conform to all instructions in writing which may be issued to him by the President in that behalf; and shall, in case of his refusal or neglect so to do, be liable to a fine not exceeding fifty rupees.

11. The President shall obtain, in such manner as appears to the Commission best adapted for the purpose and as is sanctioned by the Resident in Mysore, returns of the particulars required by this Bye-law with respect to all houseless persons and all persons who, during the said night preceding the day to be appointed for the making of such enumeration, were on out-door duty, or for any other reasons, not abiding in any house of which account is to be taken by the enumerators.

"Resolution—Carried unanimously"

RESIDENT'S OFFICE, BANGALORE.
Register No. 5418
Date of Receipt 5/7/00
File No. 496/97

No. 2393
Encls 5

From

L. T. Harris, Esquire, I. C. S.,
President, Municipal Commission,
C. & M. Station, Bangalore.

To

The First Assistant to the Resident in Mysore,
Bangalore.

Sir,

I have the honor to inform you that in view of the census to be taken out in the early part of 1901, it has been found necessary to frame a Byelaw under section 137 (1) (c) B M Law. The draft byelaw forwarded with your letter No: 1051 dated 2nd March 1898 was accordingly brought before and approved by the Commission at their Special Meeting held on 3rd May 1900.

2. This byelaw, which was published[a] under section 180 (1) B M Law, and to which no objections were received, was reconsidered at the Special Meeting held on the 28th June 1900, and I have now the honor to request that you will be good enough to have it confirmed by the Resident under section 139, and cause the accompanying Notification published in the Gazette of India.

3. Copy of Resolution No: 1 of the Commission dated 28th June 1900 on the subject is forwarded herewith for your information.

I have the honor to be,
Sir,
Your most obedient servant,

President Municipal Commission

[redacted] Office

No: 2394 [redacted] 8th July [redacted]

[redacted]

In exercise of the powers conferred under section 137 (1) (c) of the [redacted] Act 1927 the Municipal Commission for the Civil and Military Station of Bangalore have made the following Bye-law and the same having been confirmed by the Honorable the Resident in Mysore as required by section 139, it is hereby notified for public information under section 180 (3) of the said Law.

CHAPTER III—*Continued.*

SANITATION AND OTHER PURPOSES,

BYE-LAW No. TAKING OF A CENSUS.

B. M. L Section 137 (1) (c).

1. An enumeration shall be made at such time and in such manner as he Commission, with the *previous* sanction of the Resident in Mysore *shall direct* of *all* persons who at the time of making such enumeration shall be within the Station.

2. One clear month previous to such enumeration being commenced, notice of the intention to make the same, with the date upon which it is intended to be made and all other necessary particulars, shall be published in *such manner as the Resident may direct.*

3. The President shall superintend the taking of such enumeration and shall appoint such enumerators and make such arrangements generally as may *be* necessary for the purpose of such enumeration.

4. Every enumerator or other person appointed for this purpose by the President shall leave at each place of residence within his district, four days at least before the time appointed for the collection of the completed Returns of Census, a blank schedule or return, to be of such form and containing such particulars as the Resident in Mysore *has* approved, to be filled up and signed by the owner, tenant or principal occupants of the said place of residence.

5. Any person wilfully neglecting or refusing correctly to fill up and affix his signature or mark to any such schedule or return so left at his place of residence, or who wilfully neglects or refuses to return the same to the enumerator or such other person when called upon so to do, or to furnish the necessary information to such enumerator or person to fill up the same for him if he do not know how to write, shall be liable to a fine not exceeding fifty rupees.

6. Such enumerator or person shall, if required, fill up all schedules or returns for those who are unable to write.

7. If any enumerator or other subordinate officer employed in the collection of such schedules or returns find any such schedule or return defective or in any respect improperly filled in he shall return the same to the person by whom it was made or signed, together with a written or printed notice requiring that the same be duly filled in or amended within a specified period not less than twenty-four nor more than forty-eight hours.

8. If such person fails so to fill in or amend any such schedule or return, he shall be liable to a fine not exceeding fifty rupees.

9. Every person in charge of a Lunatic Asylum, Hospital or Prison, or of any public or private charitable or scholastic institution, every keeper of an hotel or lodging house, shall if required by the President act as an enumerator for the purpose of taking account of persons under his command or charge or abiding in his house, on the night immediately preceding the day to be appointed for the making of such enumeration.

10. Every person so required to act as an enumerator shall conform to all instructions in writing which may be issued to him by the President in that behalf; and shall, in case of his refusal or neglect so to do, be liable to a fine not exceeding fifty rupees,

11. The President shall obtain, in such manner as appears to the Commission best adapted for the purpose and as is sanctioned by the Resident in Mysore, returns of the particulars required by this Bye-law with respect to all houseless persons and all persons who, during the said night preceding the day to be appointed for the making of such enumeration, were on out-door duty, or for any other reasons, not abiding in any house of which account is to be taken by the enumerators.

President, Municipal Commission,
Civil & Military Station Bangalore.

Special meeting of the Cantonment Commissioners for the Civil & Military Station of Bangalore, held at the Mayo Hall, at 8-30 a.m. on Thursday the 28th June 1900.

× ×

1. Resolution no: 2 of the Commissioners dated 3rd May 1900, "approving of draft Bye-law re Census".

Notice no: 1046 dated 7th May 1900 publishing the above draft Bye-law & objections.

Proposed by the President that the following Bye-law draft of which was published under notice no: 1046 dated 9th May 1900 and to which no objections have been received, be submitted to the Honorable the Resident for confirmation under Section 180 (1) (b) of the Law.

CHAPTER III—*Continued.*

SANITATION AND OTHER PURPOSES,

BYE-LAW No. TAKING OF A CENSUS.

B. M. L. Section 137 (1) (c).

1. An enumeration shall be made at such time and in such manner as the Commission, with the *previous* sanction of the Resident in Mysore *shall direct* of *all* persons who at the time of making such enumeration shall be within the Station.

2. One clear month previous to such enumeration being commenced, notice of the intention to make the same, with the date upon which it is intended to be made and all other necessary particulars, shall be published in *such manner as the Resident may direct.*

3. The President shall superintend the taking of such enumeration and shall appoint such enumerators and make such arrangements generally as may be necessary for the purpose of such enumeration.

4. Every enumerator or other person appointed for this purpose by the President shall leave at each place of residence within his district, four days at least before the time appointed for the collection of the completed Returns of Census, a blank schedule or return, to be of such form and containing such particulars as the Resident in Mysore *has* approved, to be filled up and signed by the owner, tenant or principal occupants of the said place of residence.

5. Any person wilfully neglecting or refusing correctly to fill up and affix his signature or mark to any such schedule or return so left at his place of residence, or who wilfully neglects or refuses to return the same to the enumerator or such other person when called upon so to do, or to furnish the necessary information to such enumerator or person to fill up the same for him if he do not know how to write, shall be liable to a fine not exceeding fifty rupees.

6. Such enumerator or person shall, if required, fill up all schedules or returns for those who are unable to write.

7. If any enumerator or other subordinate officer employed in the collection of such schedules or returns find any such schedule or return defective or in any respect improperly filled in he shall return the same to the person by whom it was made or signed, together with a written or printed notice requiring that the same be duly filled in or amended within a specified period not less than twenty-four nor more than forty-eight hours.

8. If such person fails so to fill in or amend any such schedule or return, he shall be liable to a fine not exceeding fifty rupees.

9. Every person in charge of a Lunatic Asylum, Hospital or Prison, or of any public or private charitable or scholastic institution, every keeper of an hotel or lodging house, shall if required by the President act as an enumerator for the purpose of taking account of persons under his command or charge or abiding in his house, on the night immediately preceding the day to be appointed for the making of such enumeration.

10. Every person so required to act as an enumerator shall conform to all instructions in writing which may be issued to him by the President in that behalf; and shall, in case of his refusal or neglect so to do, be liable to a fine not exceeding fifty rupees,

11. The President shall obtain, in such manner as appears to the Commission best adapted for the purpose and as is sanctioned by the Resident in Mysore, returns of the particulars required by this Bye-law with respect to all houseless persons and all persons who, during the said night preceding the day to be appointed for the making of such enumeration, were on out-door duty, or for any other reasons, not abiding in any house of which account is to be taken by the enumerators.

Resolution - Carried Unanimously.

Signed L. F. Morris.
President

"Copy"

President, Municipal Commission,
Civil & Military Station Bangalore.

Civil and Military Station, Bangalore.

MUNICIPAL OFFICE.

No. 1046, Dated, 9th May 1900.

NOTICE.

Notice is hereby given under section 180 (1) of the Bangalore Municipal Law of 1897 that the following Draft Bye-law approved by the Municipal Commission for the C. and M. Station of Bangalore, will be taken into consideration with a view to its being made into Bye-law on or after 12th June 1900 together with any objection thereto which may be received before that date.

CHAPTER III—*Continued.*

SANITATION AND OTHER PURPOSES,

BYE-LAW No. TAKING OF A CENSUS.

B. M. Section 137 (1) (c).

1. An enumeration shall be made at such time and in such manner as the Commission, with the *previous* sanction of the Resident in Mysore *shall direct* of *all* persons who at the time of making such enumeration shall be within the Station.

2. One clear month previous to such enumeration being commenced, notice of the intention to make the same, with the date upon which it is intended to be made and all other necessary particulars, shall be published in *such manner as the Resident may direct.*

3. The President shall superintend the taking of such enumeration and shall appoint such enumerators and make such arrangements generally as may *be* necessary for the purpose of such enumeration.

4. Every enumerator or other person appointed for this purpose by the President shall leave at each place of residence within his district, four days at least before the time appointed for the collection of the completed Returns of Census, a blank schedule or return, to be of such form and containing such particulars as the Resident in Mysore *has* approved, to be filled up and signed by the owner, tenant or principal occupants of the said place of residence.

5. Any person wilfully neglecting or refusing correctly to fill up and affix his signature or mark to any such schedule or return so left at his place of residence, or who wilfully neglects or refuses to return the same to the enumerator or such other person when called upon so to do, or to furnish the necessary information to such enumerator or person to fill up the same for him if he do not know how to write, shall be liable to a fine not exceeding fifty rupees.

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7. If any enumerator or other subordinate officer employed in the collection of such schedules or returns find any such schedule or return defective or in any respect improperly filled in he shall return the same to the person by whom it was made or signed, together with a written or printed notice requiring that the same be duly filled in or amended within a specified period not less than twenty-four nor more than forty-eight hours.

8. If such person fails so to fill in or amend any such schedule or return, he shall be liable to a fine not exceeding fifty rupees.

9. Every person in charge of a Lunatic Asylum, Hospital or Prison, or of any public or private charitable or scholastic institution, every keeper of an hotel or lodging house, shall if required by the President act as an enumerator for the purpose of taking account of persons under his command or charge or abiding in his house, on the night immediately preceding the day to be appointed for the making of such enumeration.

10. Every person so required to act as an enumerator shall conform to all instructions in writing which may be issued to him by the President in that behalf; and shall, in case of his refusal or neglect so to do, be liable to a fine not exceeding fifty rupees,

11. The President shall obtain, in such manner as appears to the Commission best adapted for the purpose and as is sanctioned by the Resident in Mysore, returns of the particulars required by this Bye-law with respect to all houseless persons and all persons who, during the said night preceding the day to be appointed for the making of such enumeration, were on out-door duty, or for any other reasons not abiding in any house of which account is to be taken by the enumerators.

(Signed) EDW. HEWETSON,
President.

Civil and Military Station, Bangalore.

MUNICIPAL OFFICE.

No. 1046, Dated, 9th May 1900.

NOTICE.

Notice is hereby given under section 180 (1) of the Bangalore Municipal Law of 1897 that the following Draft Bye-law approved by the Municipal Commission for the C. and M. Station of Bangalore, will be taken into consideration with a view to its being made into Bye-law on or after 12th June 1900 together with any objection thereto which may be received before that date.

CHAPTER III—*Continued.*

SANITATION AND OTHER PURPOSES,

BYE-LAW No. TAKING OF A CENSUS.

B. M. Section 137 (1) (c).

1. An enumeration shall be made at such time and in such manner as the Commission, with the *previous* sanction of the Resident in Mysore *shall direct* of *all* persons who at the time of making such enumeration shall be within the Station.

2. One clear month previous to such enumeration being commenced, notice of the intention to make the same, with the date upon which it is intended to be made and all other necessary particulars, shall be published in *such manner as the Resident may direct.*

3. The President shall superintend the taking of such enumeration and shall appoint such enumerators and make such arrangements generally as may *be* necessary for the purpose of such enumeration.

4. Every enumerator or other person appointed for this purpose by the President shall leave at each place of residence within his district, four days at least before the time appointed for the collection of the completed Returns of Census, a blank schedule or return, to be of such form and containing such particulars as the Resident in Mysore *has* approved, to be filled up and signed by the owner, tenant or principal occupants of the said place of residence.

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(Signed) EDW. HEWETSON,
President.

Civil and Military Station, Bangalore.

MUNICIPAL OFFICE.

No. 1046, Dated, 9th May 1900.

NOTICE.

Notice is hereby given under section 180 (1) of the Bangalore Municipal Law of 1897 that the following Draft Bye-law approved by the Municipal Commission for the C. and M. Station of Bangalore, will be taken into consideration with a view to its being made into Bye-law on or after 12th June 1900 together with any objection thereto which may be received before that date,

CHAPTER III—*Continued.*

SANITATION AND OTHER PURPOSES,

BYE-LAW No. TAKING OF A CENSUS.

B. M. L. Section 137 (1) (c).

1. An enumeration shall be made at such time and in such manner as the Commission, with the *previous* sanction of the Resident in Mysore *shall direct* of *all* persons who at the time of making such enumeration shall be within the Station.

2. One clear month previous to such enumeration being commenced, notice of the intention to make the same, with the date upon which it is intended to be made and all other necessary particulars, shall be published in *such manner as the Resident may direct.*

3. The President shall superintend the taking of such enumeration and shall appoint such enumerators and make such arrangements generally as may *be* necessary for the purpose of such enumeration.

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11. The President shall obtain, in such manner as appears to the Commission best adapted for the purpose and as is sanctioned by the Resident in Mysore, returns of the particulars required by this Bye-law with respect to all houseless persons and all persons who, during the said night preceding the day to be appointed for the making of such enumeration, were on out-door duty, or for any other reasons not abiding in any house of which account is to be taken by the enumerators.

(Signed) EDW. HEWETSON,
President.

Civil and Military Station, Bangalore.

MUNICIPAL OFFICE.

No. 1046, Dated, 9th May 1900.

NOTICE.

Notice is hereby given under section 180 (1) of the Bangalore Municipal Law of 1897 that the following Draft Bye-law approved by the Municipal Commission for the C. and M. Station of Bangalore, will be taken into consideration with a view to its being made into Bye-law on or after 12th June 1900 together with any objection thereto which may be received before that date.

CHAPTER III—*Continued.*

SANITATION AND OTHER PURPOSES,

BYE-LAW No. TAKING OF A CENSUS.

B. M. L. Section 137 (1) (c).

1. An enumeration shall be made at such time and in such manner as the Commission, with the *previous* sanction of the Resident in Mysore *shall direct* of *all* persons who at the time of making such enumeration shall be within the Station.

2. One clear month previous to such enumeration being commenced, notice of the intention to make the same, with the date upon which it is intended to be made and all other necessary particulars, shall be published in *such manner as the Resident may direct.*

3. The President shall superintend the taking of such enumeration and shall appoint such enumerators and make such arrangements generally as may *be* necessary for the purpose of such enumeration.

4. Every enumerator or other person appointed for this purpose by the President shall leave at each place of residence within his district, four days at least before the time appointed for the collection of the completed Returns of Census, a blank schedule or return, to be of such form and containing such particulars as the Resident in Mysore *has* approved, to be filled up and signed by the owner, tenant or principal occupants of the said place of residence.

5. Any person wilfully neglecting or refusing correctly to fill up and affix his signature or mark to any such schedule or return so left at his place of residence, or who wilfully neglects or refuses to return the same to the enumerator or such other person when called upon so to do, or to furnish the necessary information to such enumerator or person to fill up the same for him if he do not know how to write, shall be liable to a fine not exceeding fifty rupees.

6. Such enumerator or person shall, if required, fill up all schedules or returns for those who are unable to write.

7. If any enumerator or other subordinate officer employed in the collection of such schedules or returns find any such schedule or return defective or in any respect improperly filled in he shall return the same to the person by whom it was made or signed, together with a written or printed notice requiring that the same be duly filled in or amended within a specified period not less than twenty-four nor more than forty-eight hours.

8. If such person fails so to fill in or amend any such schedule or return, he shall be liable to a fine not exceeding fifty rupees.

9. Every person in charge of a Lunatic Asylum, Hospital or Prison, or of any public or private charitable or scholastic institution, every keeper of an hotel or lodging house, shall if required by the President act as an enumerator for the purpose of taking account of persons under his command or charge or abiding in his house, on the night immediately preceding the day to be appointed for the making of such enumeration.

10. Every person so required to act as an enumerator shall conform to all instructions in writing which may be issued to him by the President in that behalf; and shall, in case of his refusal or neglect so to do, be liable to a fine not exceeding fifty rupees,

11. The President shall obtain, in such manner as appears to the Commission best adapted for the purpose and as is sanctioned by the Resident in Mysore, returns of the particulars required by this Bye-law with respect to all houseless persons and all persons who, during the said night preceding the day to be appointed for the making of such enumeration, were on out-door duty, or for any other reasons, not abiding in any house of which account is to be taken by the enumerators.

(Signed) EDW. HEWETSON,
President.

RESIDENT'S OFFICE.

Serial No. 17
File No. 498 of 97.

[DRAFT.]—For approval.

No. 3475

Dated 20 July 1900, To

The President Municipal Commissioner
6th Station, Bangalore.

Sir,

With reference to your letter
No. 2393 dated the 3rd instant forwarding
for Confirmation and publication a bye-law
about census under section 137 (1) (c) of
the Municipal Law, I am directed to inform
you that the matter has been (Consideration) (Opened) ~~kept over~~ until
the Indian Census Act of 1900 is passed

I have &c

First Assistant Resident

S-1b.

File 496
'97

[DRAFT.]—For approval.

No. 5789

Dated 5/11/00

To

The President, Municipal Commy

(& the Statistician of Umzafa

Sir,

I am directed to refer
a reference to my letter
No. 3475 dated the 20th July
1900 regarding the bye-law
to be observed by you (the taking of the
about) census under Sect
137 (1)(c) of the Umzafane
Municipal Law of 1897
2. The Census Act X of 1900
has been applied to the
(& the Statistician of Umzafane
and arrangements are
being made for taking the
ensuing census of the (&
the Statistician in accordance
with the provisions of that

Act ~~for~~ and the Census
Procedure Code. Under
~~such~~ these circumstances, no
special municipal bye-law
on the subject of census are
~~not~~ necessary ~~enacted~~.

I have, etc,

DM/X1/a

First Asst. Resident

A.S. VS
1-11-40

No. 3503 and 3 Encls.

CIVIL AND MILITARY STATION, BANGALORE,

MUNICIPAL OFFICE,

DATED 20th October

FROM

F. J. RICHARDS, ESQUIRE, M. A., I. C. S.,

President, Municipal Commission,

C. & M. Station, Bangalore.

RESIDENT'S OFFICE,
BANGALORE.
Register No. 6201
Date of Receipt 22/10/09
File No. 4969

To

T. B. Copeland Esquire, I.C.S.,

First Assistant to the Resident in Mysore,

Bangalore.

SIR,

I have the honor to submit for the favor of approval and confirmation of the Hon'ble the Resident, under section 139 Bangalore Municipal Law 1897, the enclosed copy of a Resolution passed at a special meeting of the Municipal Commission held on the 30th september 1909, relative to an amendment of the Byelaw No.14 Chapter III of the Law, on the subject of "Injury to or disfigurement of Public property' etc." I enclose also a copy of the first Resolution passed on the 29th July last which contains the proposed amendment.

2. This amendment it will be observed aims at stopping the hacking of trees standing in private compounds without the permission of the President of the Municipal Commission previously obtained in order to prevent damage to the electric wires in the station. Certain instances in which serious damages were caused to the electric wires by the house owners or their servants cutting down large trees without proper precaution were brought to my notice by the Chief Electrical Engineer, Mysore Government, who at the same time requested that steps may be taken to recover the value of the damage done. Thereupon notices were served by me but they had not the desired effect. The Electricity Act (No. III of 1903) it is true

true, provides adequately for dealing with cases of this kind but the procedure is tedious and involves the Electric Department in needless trouble and expense. The object in view being chiefly to prevent the careless or negligent act on the part of the house-owners, it seems to me that a ruling under the Municipal Law of the nature proposed is sufficient for the purpose and I recommend that it may be confirmed. It will, I consider, enable the Municipality to deal with complaints more expeditiously and with greater convenience.

4. The amendment was published as required by section 180 of the Municipal Law but no objections were received.

5. The draft of the Byelaw was seen and approved of by the Chief Electrical Engineer to the Government of Mysore.

6. A draft notification is enclosed for publication in the Official Gazette, if approved.

I have the honor to be,

Sir,

Your most obedient servant,

President, Municipal Commission,

Civiland Military Station, Bangalore.

Civil and Military Station,

Bangalore.

Municipal Office.

No. 3504 Dated 20th October 1909.

Notification.

In exercise of the powers conferred on them by section 137(1)(e)(iii) of the Bangalore Municipal Law 1897, the Municipal Commission for the Civil and Military Station of Bangalore having made the following amendments to the Bye-law relating to "Injury or Disfigurement of Public Property or Buidlings adjoining Public streets" and published them under this office notification No.2328 dated 11th August 1909 and the same having been confirmed by the Hon'ble the Resident in Mysore as required by section 139 of the Law, they are hereby notified for public information under section 180(3) of the said Law.

After para 5 of Byelaw No.14 Chapter III Bangalore Municipal Law insert,

"6(a) That no owner of house property shall, under any circumstance, cut down trees or branches in the vicinity of Electric Wires unless and until permission of the President of the Municipal Commission has been sought for and obtained."

"(b) That the Municipality may authorise the Electric Department to cut down any trees or branches of trees that are likely to injure the wires and to hand over the cuttings to the owners of the trees."

(c) That the Electric Department shall inform the President of the Municipal Commission before cutting any private trees, and in case of dispute as to the necessity of cutting, the decision of the President shall be final"

(d)

(d) In cases of emergency when owing to high winds the wires are in imminent danger of being destroyed by injured ~~branches~~ branches it shall be incumbent on the owner of the property to intimate the damage direct to the Officer in Charge of the nearest Power Station"

"Alter No. of para 6 into 7 and insert between the words "property" and "shall" in the latter para, the words "or found neglecting to comply with the requirements of section 6(a) and (d)".

President.

Proceedings of a special meeting dated 30th September 1909.

---

1. Amendment of Byelaw No.14, Chapter III Bangalore Municipal Law (injury to public property) so as to prevent damage to electric wires by hacking down trees in private compounds.

Resolved that as no objection was received to the amendment which was published the amendment be passed.

(Sd) F.J.Richards

Copy

A. Chick

Secretary

Proceedings of a Special Meeting dated 29th ~~August~~ July 1909.

---

2. Amendment of Byelaw No.14, Chapter III (relating to injury to public property etc) so as to prevent damages to the Electric Wires caused by cutting down trees in private houses or compounds.

Resolved that the following amendment be adopted.

After section 5 insert:

6(a) That no owner of house property shall under any circumstance cut down trees or branches in the vicinity of electric wires unless and until permission of the President of the Municipal Commission has been sought for and obtained.

(b) That the Municipality may authorise the Electric Department to cut down any trees or branches of trees that are likely to injure the wires and to hand over the cuttings to the owners of the trees.

(c) That the Electric Department shall inform the President of the Municipal Commission before cutting any private trees, and in case of dispute as to the necessity of the cutting the decision of the President shall be final.

(d) In cases of emergency when owing to high winds the wires are in imminent danger of being destroyed by injured branches it shall be incumbent on the owner of the property to intimate the damage direct to the Officer in Charge of the nearest power Station.

Alter number of section 6 into 7 and insert between the words "property" and "shall" in the latter section the words "or found neglecting to comply with the requirements of section 6(a) and (d).

(Sd) F.J.Richards
President.

Copy

Secretary.

R. P. ( )-09—1,000.

RESIDENT'S OFFICE.

Serial No. 26
File No. 96 '17

[D R A F T .]—For approval.

From

T. B. COPELAND, Esq., I. C. S.,

1st Assistant to the Resident in Mysore.

To The President, municipal Commissioner
for the Station of Bangalore

No. 7187
dated 15 November 1917.

Sir,

I am directed to acknowledge the receipt of your letter No. 3503 dated the 20th October 1909, regarding the ~~proposed~~ enactment of a proposed bye-law No. 14, under chapter III of the Bangalore municipal Law, 1897, in the matter of injury or disfigurement of Public property.

2. In reply, I am to state that section 137 (1) (e) (iii) of the municipal Law under which it is proposed to amend existing bye-law No. 14 enables the municipal Commissioner to "provide by bye-law for preventing injury to any Public

public property", and that,
before entering into the merits
of the proposed amendments,
the Resident would like to
be anticipated that the electric
power wires in the Power Station
are public property.

I have, etc,

[signature]
2/11/69

First Asst Resident.

H.
4/11/69

Sent 4/11/69

...ECTION
Register No. 7378
Date of Receipt 24/12/09
No. 4962 97.

BANGALORE C&M STATION MUNICIPALITY

23-12-09

My dear Copeland

Your Memo 9187 d. 5.11.09. Have you any definite & "Public Purpose" which can serve as a guide? If so

Yrs sincerely
J Hyderabad

Rec'd 23 Dec

R. F. B.—11-09.—1,000.

RESIDENT'S OFFICE.

Serial No. 22
File No. 496
'97

[DRAFT.]—For approval.

From

T. B. COPELAND, Esq., I. C. S.,

1st Assistant to the Resident in Mysore.

To

10 85
8/6 Jan 1910.

A.21

My dear Richards,

With reference to your D.O letter dated the 23rd December 1909, I am desired to state that our definition of "public property" is traceable in this

Yours sincerely
T. Copeland.

F. J. Richards Esqre, I.C.S.,
President, Municipal Commission,
& ex Station Hospital.

5/1/10

5/1/10

Rec'd 5.1.10.

1871/11/12 23

E 6 1,000—14-7—1912.

No. 6879

Secs: 2

CIVIL AND MILITARY STATION, BANGALORE.

MUNICIPAL OFFICE.

DATED 11 November 1912.

FROM A.R.COX, Esquire, I.C.S.,

~~H. J. RICHARDS, Esquire, M.A., I.C.S.,~~

President, Municipal Commission,

C. & M. Station, Bangalore.

To

P.B.WARBURTON, Esquire, I.C.S.,

First Assistant to the Hon'ble the Resident in Mysore,

Bangalore.

7119 18/11/12 4981/97

SIR,

I have the honor to state that, with a view to provide that no place shall be used as a camping ground unless it has been approved of as such by the President, the Municipal Commission have at their Special meeting held on the 27th June 1912 passed a resolution that Bye-law No.9 under Chapter III of the Bangalore Municipal Law be amended as shown on the margin and published it for objections in this office No.4029 dated 29th August 1912, No having been objections received, the Commission have resolved, at their Special meeting held on the 31st October 1912, that the amended Bye-law be passed on to the Hon'ble the Resident for confirmation.

Sec. 54(M)

1. "No place shall be used as a camping ground unless it has been approved of as such by the President.
2. If such camping ground is used in such a manner as to be dangerous or offensive to the neighbourhood, the President may after such enquiry as he may consider sufficient, require the persons so using it to take such measures as may be necessary to abate the nuisance, or may require such persons to leave the place within such time as he may consider reasonable. Any person disobeying any order given by the President under this Bye-law, shall be liable on conviction to a penalty not exceeding Rs 10/-

2. I enclose a copy of the Resolution and request that the amended Bye-law may, if approved, be confirmed and the accompanying Notification published in the Gazette of Indi

I have the honor to be,

Sir,

Your most obedient servant,

A. Cleeve

for President, Municipal Commissioner, Civil & Military Station, Bangalore.

The annexed bye-laws may be confirmed. Two drafts and proposed Please also circulate on the Serial

11/12 R 1871/12

Proceedings of a Special Meeting dated 31st October 1912.

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4. Amendments to Bye-law No.9 (camping grounds) under Chapter 111 of the Bangalore Municipal Law published for objections in Notice No.4029, dated 29th August 1912; no objections received. The Standing Committee recommend that the amendments be passed and submitted to the Hon'ble the Resident for confirmation.

Resolved that the amendments be passed and submitted to the Hon'ble the Resident for confirmation.

(Sd) F.J.Richards
President.

COPY

SECRETARY

Published in the India Gazette of 4th January 1913
Part II, page 13.

Civil and Military Station, Bangalore.
Municipal Office.

No. 6820 Dated 21 Dec. 1912.
Notification

In exercise of the powers conferred on them by Section 137(1)(e)(i) of the Bangalore Municipal Law 1897, the Municipal Commission for the Civil and Military Station of Bangalore have amended Bye-law No.9 relating to "Camping grounds" and the same having been confirmed by the Hon'ble the Resident in Mysore as required by Section 139, it is hereby notified for public information under Section 180(3) of the said Law:-

Chapter III Sanitation and other purposes.

Bye-law No.9-Camping Grounds.

B.M.L.Section 137(1)(e)(i)

1. No place shall be used as a camping ground unless it has been approved of as such by the President.
2. If such camping ground is used in such a manner as to be dangerous or offensive to the neighbourhood, the President may after such enquiry as he may consider sufficient require the persons so using it to take such measures as may be necessary to abate the nuisance, or may require such persons to leave the place within such time as he may consider reasonable. Any person disobeying any order given by the President under this Bye-law, shall be liable on conviction to a penalty not exceeding Rs.10/-.

(Sd) A.R.Cox
President, Municipal Commission,
Civil and Military Station, Bangalore.

COPY

A. Cleile

SECRETARY.

S. 8.—R. P. B.—4-1913.—10,000.

D.O. [DRAFT.]

From P B Warburton Esq I.C.S.

To A. R. Cox Esq I.C.S.

(Myself Cox

No 6786

D/ 19th November 1912

Will you please refer to your letter
No 6819 dated the 11th March regarding
a bye law for regulating carrying guns
I am not quite clear for what purpose
this bye-law is intended but assume
that the Commissioner wish to place
restrictions on gipsies encampments &
the like. It seems possible however that
such a law might affect the interests
of the military authorities & in that case
it would be as well to forward Cantonment
Perhaps you could let me have further
information on this point.

Yours sincerely

Sd P. B. Warburton.

Sec 1 Govt

7419
26/11/12
496/687

Rw 7172

Bangalore
25 November 1912.

2614

My dear Warburton

Referring to your D.O. 6786 dated 19th Instant: The Byelaw was intended to regulate gipsy encampments. The subject was started by representations made by the Senior Medical Officer in July 1910, and revived by similar representations from the Officer Commanding 101st Grenadiers in April 1912.

The Byelaw would not affect lands declared under Section 5 of the Bangalore Municipal Law, to be in exclusive possession of the Military authorities.

If you advise it, I will consult the Station Staff Officer as to whether the Military authorities are ever likely to wish to use non Military lands for camping purposes.

Yours sincerely
A Cox

P.B.WARBURTON, Esquire, I.C.S.,
FIRST ASSISTANT to the Hon'ble
the RESIDENT in MYSORE.

25/11

S. S.—B. P. B.—1-1912.—10,0(

26

File 496/97

[DRAFT.]

From P. B. Warburton Esqre, I.C.S.,
Private Assistant to the Resident
in Mysore

To

No. 2141

Dated 4th December 1912

My dear Cox,

I am in receipt of your D.O. letter No. 7172, dated the 25th November 1912, regarding the proposed amendment of bye-laws relating to Camping grounds.

2. Sir Hugh ~~I observe~~ thinks it advisable to consult the military ~~should be consulted before~~ we finally issue the amendment ~~before issued, and suggested in the last paragraph of your letter.~~ You might talk it over with Hamley as suggested.

Yours sincerely
PBW

H. R. Cox Esqre, I.C.S.,
President, Municipal Commission,
Cantonment, Bangalore.

Recd 3/12

H! 27/11/12 27/11/12

RESIDENTS OFFICE
7890
19.12.12
496/89

BANGALORE C & M STATION MUNICIPALITY

Dec 19. 1912

1912

My dear Warburton

I have, in accordance with instructions contained in your D.O. 7141. d. 4th inst, talked to Captain Hanbury on the subject of the bye-law relating to camping grounds.

He has also consulted Major Fraser & writes that they agree in considering that

the bye-law, amended as proposed, will not affect any military interests.

Yours sincerely

A R Cox

P B Wadsworth Esq; ICS

First Assistant Resident

Bangalore

S. S.—S. P. S.—4-1913.—10,000.

28

No 496
'97

[DRAFT.]

From V. H. Wickenden Esqre, I.C.S.,
First Assistant to the Resident
in Mysore.

To
The President, Municipal Commissioner,
for the Station of Bangalore.

No 7676
Dt 23d December 1912

Sir,

I am directed to acknowledge the receipt of your letter No. 6819, dated the 11th November 1912, regarding the amendment of Municipal Bye-Law No. 9, on the subject of Camping grounds.

A. 23

2. The bye-law as amended by the Municipal Commissioner is confirmed, & the notification forwarded with your letter has been transmitted to the Publisher, Gazette of India, for publication in Part II of the Gazette, the date of the notification being fixed for 21st Dec. 1912.

I have, etc,

Sd/ illegible

Dt 19/12/12 Dy/12/2 First Asst to Resident

S. 3.—R. P. B.—4-1912.—10,000.

29

File 496
'97.

[DRAFT.]

From P. B. Warburton Esqre, I.C.S.,
First Assistant to the Resident
in Mysore

To

No 7677 dated 23d December 1912

[Here enter municipal Notification No. 6820, dated 14th December 1912]

—

A copy of the foregoing Notification is forwarded herewith to the Publisher, Gazette of India, for insertion in Part II of the Gazette.

PBW

First Asst. Resident

19/12/12

19/12/12

Sent 21/12/12

No. 3133

CIVIL AND MILITARY STATION, BANGALORE

MUNICIPAL OFFICE.

DATED 25 August 1916.

FROM,

A. R. COX, ESQ., B.A., I.C.S.,

President, Municipal Commission,

C. & M. Station, Bangalore.

RESIDENT'S OFFICE,
BANGALORE.
Register No. 6377
Date of Receipt 26.8.16
File No. 4561/1897

TO,

Major T. H. St. GEORGE TUCKER,

First Assistant to the Hon'ble

the Resident in Mysore, Bangalore.

SIR,

I have the honor to state that the Municipal Commission have, at their Special meeting held on the 25th May 1916, passed a resolution that paras 2-3 and 6 of Bye-law No:7 (Lodging houses and buildings occupied by more than one family) under Chapter III of the Bangalore Municipal Law 1897, be amended as under:-

Para 2.- Add the following words at the end of this para "Such license may contain such terms and conditions as the President may prescribe either in general or in any particular case."

Para 3.- Delete the word "or" after the word "uncleanliness" in line 2 and insert the words "or for any other sufficient cause" after the word "ventilation" in line 3 and add after the word "license" in line 4, the following words "or may cancel any existing license or alter the terms and conditions thereof"

Para 6.- Delete the words "paragraph 1" in line 3 and substitute the words "the provisions of this Bye-law or committing a breach of any terms or conditions of any license issued under para 2."

2. The amendments were published for objections in this office No:1493 dated 9th June 1916. No objections having been received, the Commission resolved, at their Special meeting on the 27th July 1916, that the amendments be submitted to the Hon'ble the Resident for confirmation.

3. I enclose a copy of the resolution and request that

that the amendments may, if approved, be confirmed and the accompanying Notification published in the Residency Orders.

I have the honor to be,

Sir,

Your most obedient servant,

B. e. Rice

President, Municipal Commission,

Civil & Military Station, Bangalore.

CMJ.24-8.

Proceedings of a S p e c i a l meeting dated 27th July 1916.

- - - - - - - - - - -

3. Amendments to paras 2,3 & 6 of Bye-law No:7 (Lodging houses and Buildings occupied by more than one family) under Chapter III of the Bangalore Municipal Law 1897 published for objections in Notice No:1493 dated the 9th June 1916; no objections received.

Resolved that the amendments, as under, be submitted to the Hon'ble the President for confirmation:-

Para 2.- Add the following words at the end of this para:-"Such license may contain such terms and conditions as the President may prescribe either in general or in any particular case".

Para 3.- Delete the word "or" after the word "uncleanliness" in line 2 and insert the words "or for any other sufficient cause" after the word "ventilation" in line 3 and add after the word "license" in line 4 the following words "or may cancel any existing license or alter the terms and conditions thereof."

Para 6.- Delete the words "paragraph 1" in line 3 and substitute the words "the provisions of this Bye-law or committing a breach of any terms or conditions of any license issued under para 2".

Sd/- A.R.Cox,
President.

- - - - - - - - - - -

"C O P Y"

S E C R E T A R Y.

Civil and Military Station, Bangalore.

M u n i c i p a l O f f i c e.

NOTIFICATION.

Dated the 25th August 1916.

No.3134 In exercise of the powers conferred on them by section 137 (1) (d) of the Bangalore Municipal Law, 1897, the Municipal Commission for the Civil and Military Station of Bangalore have made the following amendments to paras 2-3 & 6 of Bye-law No:7 relating to "Lodging houses and buildings occupied by more than one family" and the same having been confirmed by the Hon'ble the Resident in Mysore as required by section 139, they are hereby notified for public information under section 180 (3) of the said Law:-

Chapter III - Sanitation and other purposes.

Bye-law No:7 - Lodging Houses and Buildings occupied by more than one family.

B. M. L. section 137 (1) (d).

Para 2.- Add the following words at the end of this para "Such license may contain such terms and conditions as the President may prescribe either in general or in any particular case."

Para 3.- Delete the words "or" after the word "uncleanliness" in line 2 and insert the words "or for any other sufficient cause" after the word "ventilation", in line 3 and add after the word "license" in line 4 the following words "or may cancel any existing license or alter the terms and conditions thereof".

Para 6.- Delete the words "paragraph 1" in line 3 and substitute the words "the provisions of this bye-law or committing a breach of any terms or conditions of any license issued under para 2".

President, Municipal Commission,
Civil & Military Station Bangalore

MUNICIPAL OFFICE.

OFFICE NOTE.

Note for First Assistant Resident.

With reference to my letter No: 3133, dated 25th August 1916.

As the old Bye-law stood there was provision only for:-

1) Order by President to abate overcrowding - para 1.

2). Unconditional license - para 2

3). Refusal by President to grant a license for certain specific defects - para 3.

4). Making by President of orders to remedy defects - para 5.

5). Penalty for:- a) having no license
b) failing to obey order under para 1

The Form of license in vogue was found to contain the words "subject to such conditions as the President may impose from time to time". At the foot of the license 2 conditions were printed. None of these conditions stated that the license might be withdrawn at any time at the discretion of the President.

In May 1915 the District Superintendent of Police desired the President to add a new condition in the licenses providing for the maintaining of registers of boarders and reporting arrivals and departures to the District Superintendent of Police. He stated that in Madras this rule was enforced by Police orders under section 36 of the Police Act III of 1888 which

is not in force here. As there appeared to be no other mode of enforcing such a rule here it was thought best to insert a new condition No.3: in the Municipal license

Later on in December 1915, it struck me that all these "conditions" were illegal and any breach of them involved no penalty as the Bye-law did not provide any penalty for such default.

Then the whole Bye-law was examined and it was proposed to remedy existing omissions by:-

1) providing for conditions in a license - para 2.

2) allowing President to refuse a license for causes other than the 3 specified in para 3.

3) allowing President to cancel a license or alter its conditions.

4) provide for penalty for breach of any or all the provisions of the (amended) Bye-law.

The amendments submitted in my letter are the result of our deliberations.

I would particularly point out that:

1). no penalty previously attached to the non-compliance with an order made under para 5. This rendered para is practically useless;

2). that it is unlikely that the President will impose any general or special conditions that are not justified;

3). that it is eminently necessary for the President to have power to cancel a license once granted. As the Bye-law stands at present there is not even a period fixed for the validity of a license once given cannot be cancelled;

4). that in your letter No.4614 dated 9th September 1898 (serial 5) you referred to the matter of suspending a license as being desirable;

5). that para 5 was first omitted in your letter No.1051 dated 2nd March 1898 - (serial 2 - page 2) but subsequently re-inserted - vide your letter 4614 dated

A.G.
32 500—11—8—1916.

(*Continuation of Note or Draft.*)

dated 9th September 1898 (serial 5),

and the necessity for the words "failing to comply with any order issued by the President under para 5" seems to have been forgotten.

Dated 13 October 1916. P r e s i d e n t

--------:o0o:-------

No. 7317.

7 [illegible] 1917

FROM

MAJOR T. H. ST. GEORGE TUCKER,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To The President, Municipal Commission,
Civil & Military Station, Bangalore.

Dated Bangalore, 18th October 1916.

SIR,

I am directed to acknowledge the receipt of your
S.30 letter No. 3133, dated the 28th August 1916, regarding the amendment of Municipal Bye-law No. 7 on the subject of - lodging houses and buildings occupied by more than one -- family.

2. The amendments passed by the Municipal Commission are confirmed and the notification forwarded with your letter will be published in the Residency Orders.
30/6.

I have the honour to be,
Sir,
Your most obedient servant,

14/10/16.
First Assistant Resident.

Note ×
A copy of the notification sent to Press for publication.
× Done.

CRB. 14/10/16

Exd 17/10

R. O. 2.—R. P. B.—9-1916—1,000.

82

H. O.
6 500—18—11—1919.

No. 1801 Eval

CIVIL AND MILITARY STATION, BANGALORE,

MUNICIPAL OFFICE.

DATED 12th August 19 20

FROM

T. J. TASKER, ESQUIRE, O.B.E., I. C. S.,
President, Municipal Commission,
C. & M. Station, Bangalore.

RESIDENT'S OFFICE, BANGALORE.
Register No. 6789
Date of Receipt 13/8/20.
File No. 496/97

To

Major C. T. C. Plowden, I. A.,
First Assistant to the Resident,
Bangalore.

SIR, AUG 13 1920

With reference to paragraph 3 of the Residency letter No. 1051, dated the 2nd March 1898 prescribing the procedure to be followed in respect of giving publicity to draft bye-laws ar amendments thereto I have the honor to forward herewith copy of resolution No. 82, of the Municipal Commission on the subject, and to request that the Hon'ble the Resident may be pleased to confirm the same.

S.2 Draft actually dated is confirmed Laws.

I have the honor to be,

Sir,

Your most obedient servant,

If approved, the Resolution may be confirmed.

Draft Rules Please see Sec 32(3) of the B.M. Law 1897 — This is irrelevant as in effect the bye-laws actually move with these proposals.

Resident 15 days notice cannot start; 30 days as laid down by Govt.

22.8.20 24/8/20 TT.11/8

For President,
Municipal Commission,
C. & M. Stn.

12/8 13/8 14/8/20.

Annaswami Mudaliar Issues to be heard. Otherwise the resolution cannot be given effect to, however, the resolution has been issued by the Comm? You may perhaps be in a position to do it shortly?

DESPATCHED, 12 AUG 1920

The reason is only
clear. Why is so big an
working? I believe it is the
usual period. Please see to a fresh
copy of the ... bus...

24/8

Acceptance

Ks
25/8/20

Invoice No 7622 dt 1.9.20

Abstract of proceedings of an ordinary or special meeting of the Municipal Commission for the Civil and Military Station of Bangalore held at the Mayo Hall at 8-15 a. m. on the 17th June 1920

82.- That draft bye-laws or amendments thereto be notified at the Mayo Hall etc, and attention of public drawn to same by publication in local paper.

Recommended that a space of 15 days be given between publication for objections and consideration; that notice of bye-laws o: amendments be exhibited at:-

Resident's Office, Mayo Hall, Collector's Office, General Market, Broadway, Shoolay, Cleveland Town and Central Police Statio and that a brief notice appear in the Daily post three times calling attention to publication.

The President referred to section 226 of the Bangalore Municipal regulations of 1883 stating that "no bye-law" or alteration of a bye-law shall be confirmed until the same has been published in one or more of the English and vernacular news papers published in Bangalore at least five times nor till the space of one month has elapsed since the date of the first publication during which period a copy of such proposed bye-law be kept at the office of the Commissioner and all persons may, at any time between eleven o'clock in the morning and five o'clock in the after noon, inspect such copy without fee or reward. He said that the publication of the amendments in the existing form was unintelligeble to the public. He enquired whether any such amendments should be translated into the vernaculars for general information in view of the fact that the law itself was in the English language.

Mr. Annasawmy Moodr thought that wide publication of the proposed amendments to bye-laws was necessary by means of hand bills. 15 days time was not enough for this purpose; 30 days should be allowed before an amendment was taken up for consideration He thought that Tamil, Telugu and Urdu translation of the amendments was necessary.

The Vice President observed that the vernacular translation

of the amendments would serve no purpose since the law itself was in English. If Mr. Annasawmy Moodr's suggestion be adopted they should have law and bye-law also in vernaculars otherwise it would be a waste of money to translate the amendments.

Mr. Annasawmy Moodr thought that some arrangements should be made to publish both law and bye-law in the vernaculars as was being done in the Mysore state.

The President remarked that the publication could be more effectively given by beat of tom-tom if desired.

Mr. Abdul Latheef observed that amendments might be published in the Kassim-ul-Akhbar, but did not press the point.

Resolution accepted.

Sd/- T. J. Tasker
President,
Municipal Commission,
C. & M. Stn.

TT.11/8

True Copy

Secretary, Municipal Commissio
Civil & Military Station, Ba...

S. 8.—1,. P.|B.—12-1919.—10,000.

DRAFT.]

From

T.A.L

No. 7622
of 1-9-20.

To The President,
Municipal Comm.
c/o the Sub. Bangalore

f. 32

Sir,

With reference to your letter No 1801, dt the 12th August 1920, requesting the manner of giving publicity to by-laws not confirmed by the Govt or amendments (made to) passed by the Comm. I am directed to request observe that the resolution forwarded by you is not very clear It is not understood why 30 days' time is too long. I am, however, to ask that another copy of the resolution may be furnished

T.A.L
27/8

20/8/20.

27/8/20

84

H. O.
6 2,000—21—8—1920.

R.C. No. 1801
Encl.

CIVIL AND MILITARY STATION, BANGALORE.

MUNICIPAL OFFICE.

DATED 22nd September 1920.

FROM,

T. B. RUSSELL, ESQ., B.A., I. C. S.,
President, Municipal Commission,
C. & M. Station, Bangalore.

PRESIDENT'S OFFICE
BANGALORE.
Register No. 7922
Date of Receipt 24/9/20.
File No.

TO,

MAJOR C. T. C. PLOWDEN, I. A.,
First Assistant to the Hon'ble the
Resident in Mysore, Bangalore.

SIR,

As desired in your letter No. 7622 dated the 1st September 1920, I have the honour to forward herewith a copy of the Commission's resolution No. 82 referred to and to state that a duration of 30 days allowed in accordance with the existing practice between the publication of bye-laws or amendment to bye-laws for objections and consideration was considered too long a period in the interests of speedy disposal of work - Hence the Commission accepted the proposal of the Standing Committee which runs as follows:--

"Recommended that a space of 15 days be given between publication for objections and consideration; that notice of bye-laws or amendments be exhibited at President's Office, Mayo Hall, Collector's Office, General Market, Broadway, Shoolay, Cleveland Town and Central Police Stations and that a brief notice appear in the Daily Post three times calling attention to publication." (vide recommendation noted below the proposition in the above resolution.)

2. In the circumstances I request that the Hon'ble the President may be pleased to confirm the resolution of the Commission as already requested in this office letter No. 1801

No. 1801 dated the 12th August 1920.

I have the honour to be,

Sir,

Your most obedient servant,

for President,

Municipal Commission,

C. & M. Station, Bangalore.

21.9.20

DESPATCHED.

22 SEP 1920

No. 82.- That draft bye-laws or amendments thereto be notified at the Mayo Hall &c., and attention of public drawn to same by publication in local paper.

Recommended that a space of 15 days be given between publication for objections and consideration; that notice of bye-laws or amendments be exhibited at:--

Resident's Office, Mayo Hall; Collector's Office, General Market, Broadway, Shoolay, Cleveland Town and Central Police Stations and that a brief notice appear in the Daily Post three times calling attention to publication.

The President referred to section 226 of the Bangalore Municipal regulations of 1883 stating that "no bye-law" or alteration of a bye-law shall be confirmed until the same has been published" "in one or more of the English and vernacular newpapers published in Bangalore at least five times nor till the space of one month has elapsed since the date of the first publication during which period a copy of such proposed bye-law be kept at the office of the Commissioners and all persons may, at any time between eleven O'clock in the morning and five O'clock in the afternoon, inspect, such copy without fee or reward. He said that the publication of the amendments in the existing form was unintelligible to the public. He enquired whether any such amendments should be translated into the vernaculars for general information in view of the fact that the law itself was in the English Language.

Mr. Annasawmy Mudaliar thought that wide publication of the proposed amendments to bye-laws was necessary by means of handbills. 15 days time was not enough for this purpose, 30 days should be allowed before an amendment was taken up for consideration. He thought that Tamil, Telugu and Urdu translation of the amendment was necessary.

The Vice-President observed that the vernacular translation of the amendments would serve no purpose since the law itself was in English. If Mr. Annasawmy Mudaliar's suggestion be adopted they should have law and bye-law also in vernaculars otherwise it would be a waste of money to translate the amendments.

Mr. Annaswamy Mudaliar thought that some arrangements should be made to publish both law and bye-law in the vernaculars as was being done in the Mysore State.

The President remarked that the publication could be more effectively given by beat of tom-tom if desired.

Mr. Abdul Latheef observed that amendments might be published in the Khassim-ul-Akbar, but did not press the point.

Resolution - Accepted.

Sd/- T. J. Tasker,
President,
Municipal Commission,
C. & M. Station, Bangalore.

"C o p y."

SECRETARY.

YL. 21/9.

R. O. 2.—E. P. B.—2—1902.—5000.

No. 9071
496/1897

FROM

MAJOR C. T. C. PLOWDEN, I. A.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

TO

The President,
Municipal Commission,
Civil & Military Station,
Bangalore.

Dated Bangalore, 15th October 1920

SIR, S N 34 and C

With reference to the correspondence ending with your letter R.C. No.1801, dated the 22nd September 1920, I am directed to state that the Hon'ble the Resident has been pleased to confirm the Resolution No. 82, of the Municipal Commission, regarding the manner of giving publicity to draft bye-laws or amendments subject to the alteration that the time allowed for the consideration by the public should be 30 days and not 15, except in case of urgency.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/ T. A. [illegible]

O/C for FIRST ASSISTANT RESIDENT:

AVR
14/10/20

BJ